

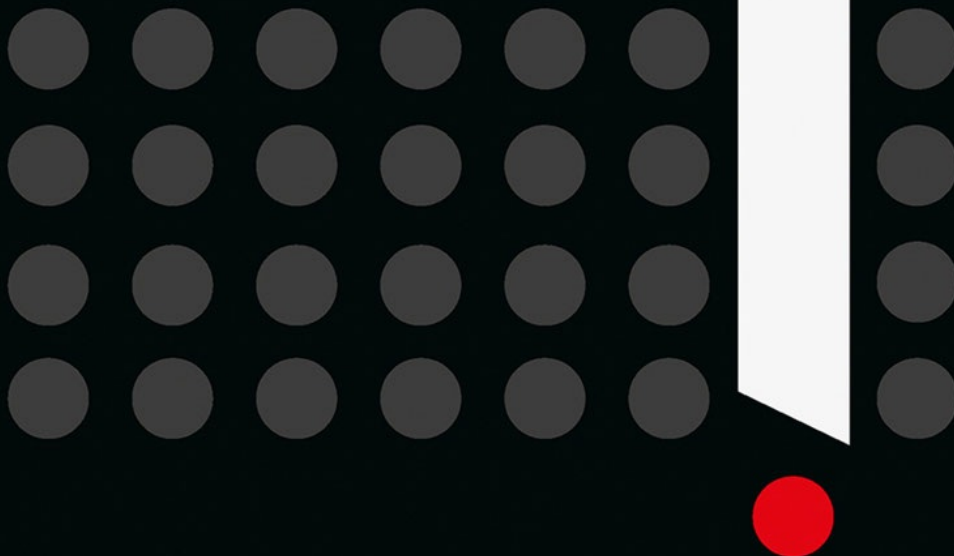
HIDING THE GUILLOTINE

PUBLIC EXECUTIONS IN FRANCE, 1870–1939

EMMANUEL TAÏEB

TRANSLATED BY SARAH-LOUISE RAILLARD

FOREWORD BY MITCHEL P. ROTH



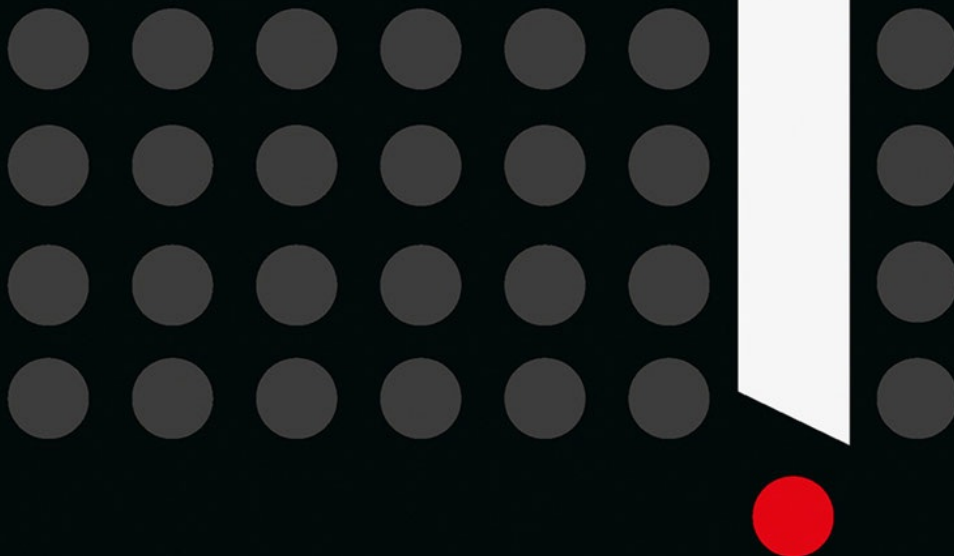
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Civilization is on the easel.

—Victor Hugo, 1866

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FOREWORD

First published in France in 2011, Emmanuel Taïeb's book, *Hiding the Guillotine*, is finally available, revised and updated, for an English-reading audience. There is no shortage of books on the guillotine in English, however, few authors, if any, have used and consulted such a wide array of French documents as Taïeb has, making this book a revelation to researchers and general audiences interested in the death penalty. Few books on the history of public executions have been able to examine the public dimension of capital punishment, bringing to life what might have been going on in the minds of the executioners, the condemned, and the spectators. Taïeb has accomplished this by scrutinizing hard-to-find sources, ranging from legal archives, pardon applications for inmates awaiting execution, and detailed write-ups in police files, executioner notebooks, firsthand accounts, and contemporary newspapers.

In early modern Europe, no public punishment exemplified state power as much as breaking on the wheel. It originated in medieval Europe, but it underwent a recrudescence in France and Germany in the eighteenth century. Like hanging in Britain, and for that matter, the United States, death on the wheel remained very much a public torture, attracting huge numbers of often unruly spectators. More criminals met death on the wheel than by hanging in France before it was abolished by Louis XVI in 1789. In time, public executions became the province of more "compassionate" instruments of death such as the guillotine.

No country is more identified with a particular executionary apparatus than is France with the guillotine. Besides beheadings by sword in modern Saudi Arabia and public hangings in the United States and Great Britain in the nineteenth century, few examples of public execution have figured more prominently in the popular imagination than the so-called timbers of justice. In the heyday of the guillotine, tens of thousands of spectators from every class attended executions. Those who could afford to paid exorbitant rates to rent a room with a view overlooking the scaffold. Those who could not afford it came early, sometimes waiting for days hoping to secure a spot close enough to the guillotine to see the blade drop.

Attesting to the enduring allure of the French execution device was the fact that

tourists clamored to see the guillotine more than a century after its introduction, especially if there was an execution on the docket. This was made especially clear in 1889, during the Paris Universal Exposition.¹ By some accounts, on one afternoon, interest in the guillotine surpassed interest in the newly unveiled Eiffel Tower, thus leading the travel agency Thomas Cook and Company to include a double execution on its list of “Paris Attractions,” even providing chartered horse-drawn buses to reach the site.²

Exhibitory punishments, symbolized by the noose and the guillotine, reflected the chronic insecurity of central governments in their burgeoning stages of development. As late as 1803, England offered a crowd of 20,000 the (last) chance to watch the ghastly hanging, drawing, and quartering of Colonel Edward Despard for treason. But between the second half of the nineteenth century and the first half of the twentieth, most forms of public execution in Western Europe had given way to more compassionate instruments of death. None was thought more humane than the guillotine in France—hailed at the time as a humanitarian landmark on par with the use of hemlock in ancient Athens.

During the second half of the nineteenth century, executions in Western Europe were removed from the public eye. Between 1851 and 1900, the German states, the Netherlands, Britain, Austria-Hungary, Sweden, and Spain all eliminated these public viewings. But curiously, France took another path. Lawmakers debated the vicissitudes of the death penalty and public executions in the decades to come, but failed to end public guillotining until 1939, well after its civilized counterparts on the rest of the continent had done so.

Hiding the Guillotine chronicles the decline of public executions during the Third Republic, an era bookended by the “unprecedented” Paris execution of Jean-Baptiste Troppmann on January 18, 1870, and the guillotining of Eugene Weidmann in Versailles in 1939. Indeed, it offers a template for future historical and sociological studies of the death penalty and its implementation. Taïeb takes readers back to the years of the Third Republic, a time when newspapers were attempting to expand readership by adopting an “if it bleeds it leads” strategy for selling papers. During the last decades of the nineteenth century, the mass media sent their best reporters to cover the guillotine, often devoting column after column to the spectacle. Through the prism of the popular press, Taïeb masterfully uses newspaper coverage to chronicle the gradual decline in execution publicity.³ Initially, the reading public clamored for front-page headlines and more extensive coverage of morbid beheadings.

Not surprisingly, a certain execution fatigue set in, and stories of the guillotine and public executions became shorter and shorter, until they were consigned to the corners of the miscellaneous news section. Even the press recognized that execution narratives had become fairly predictable and had “dulled the novelty.” Moreover, these now familiar narratives could not compete with international news and the impending outbreak of war in the first decades of the twentieth century.

The French, particularly in the aftermath of “The Terror,” were never of one mind about the death penalty or public executions. Taïeb documents the gradual “depublicization” of French executions during the seventy years of the Third Republic, a process that occurred in fits and starts, all devised to remove the guillotine from public spaces. The suppression of exhibitory punishment during the Third Republic paralleled the diminishing tolerance for violence in public spaces, beginning in 1870 with the elimination of the guillotine’s elevated scaffold, which reduced visibility for spectators not standing in the first couple of rows.

Taïeb parallels the attempts to conceal the guillotine from the public eye with similar efforts to clear public spaces of open-air slaughterhouses, the abuse of domestic animals, standing sewage, and mounds of household waste. Public executions and the like no longer had a place in urbanizing French cities, where residents had become increasingly sensitive to the unpleasant odors and decaying buildings that were once accepted norms. But the executions continued.

Over time the focus shifted from the executioner and his acumen at the guillotine to the condemned. Newspaper coverage of executions sometimes read like theater commentary, with both good and bad reviews determined by how the condemned met his fate. He was typically lauded when he demonstrated courage and valor, transforming his execution into a “good death.” But for all of those who willingly strode to the guillotine, there were others who offered disappointing performances, fainting or refusing to walk or playing the role of the frightened central protagonist.

The state faced a conundrum: the government permitted challenges to executionary publicity, while maintaining the use of the death penalty. By the twentieth century the public tolerance for violence in public spaces was rapidly declining, so much so, that it became a challenge even to find a spot to set up the

guillotine on execution day. As France became more urbanized, local mayors had the daunting task of finding acceptable execution sites, ones that made for easy crowd control while offering appropriate visibility.

As incarceration played an increasingly important role in the criminal justice process, the place of execution was moved closer and closer to prisons, which shortened much of the humiliation suffered by the condemned before he mounted the death device. Meanwhile, he could tend to his ablutions in his cell before he was mounted on the device, saving the executioner from having to cut his hair short or remove the shirt collar. By eliminating the long procession to the guillotine, a modicum of humanity could be introduced by waking him just ten to fifteen minutes before his appointment with the executioner, sparing him the traditionally long wait between sentence and death.

Moving the guillotine into close proximity to a prison also meant that with prison walls abutting one side of the execution site, there was one less side that needed monitoring. Likewise, having an execution close to a carceral structure or a courthouse reminded spectators that this was how the French justice system worked. But for many, the juxtaposition between the “timbers of justice” and the prison made executions seem disproportionate, especially when incarceration had already stripped the criminal of any potential for harm.

In the last years of the Third Republic, speed and efficiency had become hallmarks of everyday life. City mayors, increasingly reluctant to host executions, deemed them an “affront to the urban landscape.” A disruption of city life in order to hold a guillotining meant having to close down streets to increasing automobile traffic. Moreover, the expected unruly crowds were never eagerly anticipated. In response, locations were selected farther and farther away from city centers, to areas that could easily be cordoned off and controlled by police.

With the advent of radio and the cinema, and changes in the world of journalism, there were other avenues for “executionary publicity” that no longer required having to witness the act in person. This became the last stage in the continuum of depublicization of the guillotine before it was hidden behind prison walls.

On June 17, 1939, the midsummer sun was just rising over Versailles and the front gates of Saint-Pierre Prison, the chosen setting for the execution of the murderer Eugene Weidmann. Among the unruly crowd that day was a

seventeen-year-old Christopher Lee, the future cinema icon who would make his living as the bloodthirsty Dracula in the years to come. It is unknown what effect witnessing the execution might have had on his future role choices.⁴ The execution was already late, meaning any chance of cloaking it in the early morning darkness had passed. Meanwhile, despite a prohibition against taking pictures at executions, photographers were stationed at windows in surrounding buildings. Photo essays subsequently appeared in *Match* and *Paris-Soir*, embroidered with exaggerated accounts of crowd behavior. Few could have predicted that it would be the last time the device was used in public. Just one week later the French penal code required that all future executions be carried out behind prison walls. This event signaled the death knell for public executions in France. Indeed, the purported hysterical behavior of the spectators proved so scandalous that the French president Albert Lebrun banned future public executions.

One of Taïeb's more interesting revelations is that death penalty abolitionists had rejected numerous legislative attempts to move executions behind prison walls, fearing that if the guillotine were removed from public view there would be "little motivation to abolish it." What followed was a shift from the condemnation of capital punishment to disapproval of allowing public spectators. Once intended as a source of moral instruction, by the end of the Third Republic public executions had deteriorated into what many would describe as an uncivilized spectacle, characterized by cries for vengeance or just morbid curiosity.

Mitchel P. Roth, Sam Houston State University

PREFACE TO THE U.S. EDITION

For three centuries now, France and the United States have acted like competitive siblings, vying with each other to carry the universalist torch of the Enlightenment and to influence the course of international politics. They are sister countries that constantly watch each other to see how their respective societies are faring, and which one seems to be more “advanced,” an “ideal” capable of setting an example. Americans may be astounded by France’s interventionist government, cumbersome bureaucracy, and history of popular revolts, but the French strongly criticize the highly unequal American health-care system, as well as the conservation of the death penalty in more than thirty states and at the federal level. In some ways, the French are quite literally waiting for their American brethren to abolish the death penalty. France has perhaps chosen to forget, however, that its government only abolished this ancient form of punishment in 1981, under pressure from the Left (which had been out of power since 1955), and more specifically, from a handful of humanist champions, such as the newly elected president François Mitterrand and his minister of justice, Robert Badinter, a lawyer who had long advocated for abolition of the death penalty. Bills had been drafted by the Right a few years earlier, which had also called for abolishing the death penalty; the goal of a partisan consensus in the National Assembly thus began to seem feasible. Mitterrand took a significant political risk when, during his campaign, he announced that he was against the death penalty—this was in fact the fifty-third point of his 110-point platform. In the United States, however, declaring his opposition to the death penalty in 1988 cost the Democratic presidential candidate Michael Dukakis dearly. In France during the 1970s and 1980s, polls showed that the French were very attached to capital punishment. Ideologically, the Left was at risk of seeming soft on crime; it might seem as incapable of ensuring public safety if it got rid of executions, which the public believed had proved to be an effective and edifying form of deterrence. The 1981 abolition of the death penalty was an executive decision, made from the top down: as it ran counter to public opinion, it was the kind of reform that could only be enacted by a centralized government, wherein the state can sometimes make decisions that go against—or anticipate—the tide of civil society.

Since that time, the abolition of the death penalty has in a sense been

“cemented” into French law through the signing of a European Protocol in 1986 and, in 2007, by its incorporation into the text of the French Constitution. The European Union as a whole has eliminated capital punishment—this has in fact become a condition for membership. What the French do not understand, however, is just how complicated it would be to abolish the death penalty nationwide in the United States. This would require either a moratorium or prohibition on capital punishment in every U.S. state, a constitutional amendment (in favor of which it would be difficult to obtain sufficient votes), or a Supreme Court ruling, in the vein of *Furman v. Georgia* (1972). Nothing is impossible, of course, but none of these options are smooth sailing, and French abolition advocates have placed their hopes in the Supreme Court. Many European observers believe in gradual progress and are thus convinced that capital punishment will sooner or later be abolished in the United States; their lobbying efforts are thus deployed in this general direction. But there are many obstacles along the road: first and foremost, the federal structure of the United States means that a decision regarding this issue cannot be magically handed down from on high. Second, the preservation of the death penalty is largely a state issue, with all the local interactions, elections, decisions, and commitments that this entails—and of which the French public is woefully ignorant. And finally, many different factions support, theorize, and defend the death penalty, which was not the case in France at the beginning of the 1980s. Much like the U.S. “survivors” who seek vengeance today, protestors often appeared outside the courthouse for major trials in France, calling for the death penalty to be applied. However, when the death penalty was abolished in France, no public protests took place in the streets. Although individual right-wing and far-right-wing elected officials may sometimes call for the return of capital punishment, French public opinion has largely turned against them. In fact, the reform was also a relief for all those who, whether innocent or guilty, were afraid of being caught up in the legal system and losing their heads. For potentially being killed by one’s own state in fact spells the end of personal safety and freedom. Once capital punishment is abolished, the state no longer has the ability to put its citizens to death: it loses that particular legacy of feudal sovereignty, the Inquisition, and medieval practices of torture, a relic of nondemocratic regimes where one could simply put one’s political opponents to death (note that the death penalty for political crimes was abolished in France in 1848). The end of the death penalty symbolizes the end of a certain kind of state-sponsored violence, of a troubling asymmetry between the unarmed citizen and the infinite power of the sovereign. It marks the advent of the modern habeas corpus.

Nothing can be taken for granted, however. A populist demagogue could de facto or de jure reestablish the death penalty. French youth today have no memory of the fight for abolition and could consequently be seduced by authoritarian arguments. More significantly, French youth often turn toward the United States, arguing that democracy there still allows capital punishment. The preservation of the death penalty in the United States has ironically come to bolster its legitimacy in France. The relationship between the death penalty and the United States has now become a common refrain in French public discourse, as if this punishment embodied a typically American kind of violence—as if it were woven into the fabric of American individualism, which dictates that every individual is responsible for himself or herself and must accept just retribution where appropriate. For French militants, penal violence echoes social violence, which highlights the profound inequalities across American living conditions and the public's reticence to adopt universal health care (even if in reality, 90 percent of the American population has some form of coverage).

France and the United States nonetheless share one thing in common regarding capital punishment: both countries eliminated the public spectacle of executions at around the same moment in history. In France, as this volume describes, the disappearance of public executions involved a lengthy and labyrinthine process of drawing the guillotine ever closer to the prison gates, before a 1939 decree officially outlawed publicity for executions. In the United States, the process was similar. State after state ruled against public executions, in a wave that stretched from 1833 to 1936. One caveat: U.S. modes of execution were generally more portable and easily confined than the French guillotine, which, as a worthy daughter of the Revolution, was an egalitarian tool designed to be publicly displayed. In the United States, hangings necessarily took place in public, but executions conducted using the electric chair, the gas chamber, and now lethal injections are more likely to be conducted indoors and away from prying eyes. When death is administered behind prison doors, it becomes more of an abstract notion for the public. Once secreted away, the death penalty becomes more manageable for public officials and less likely to be the subject of controversy—and therefore, ironically, much more difficult to abolish.

In France, what happened with the guillotine is simply that the public stopped believing in it. The death penalty lost the support of the masses and the elites alike. It was a source of shame for public legislators, who hid it on the outskirts of urban centers, in the twilight gloom. It was too rarely used to be seen as a deterrent and instead began to be seen as a game of Russian roulette. Likewise in

the United States, the death penalty is criticized for being unevenly applied depending on whether one is rich or poor, black or white. The clash between life in the cities of the Third Republic (1870–1940), which indulged in leisure activities and enjoyed a thriving economy, and the desultory appearance of the guillotine in their midst for a bloody execution eventually became intolerable for public sensibilities. The sight of violence and blood, the imagined suffering of the convict led to a revolution in hearts and minds against capital punishment. The increase in prisons starting at the end of the eighteenth century also helped to spread the belief that incarcerated criminals no longer posed a danger to society. As for public officials, they began to fear that executions would offer the opportunity for individuals to challenge the regime; they sought to preserve the death penalty without staging public executions. The rise of the penny press helped legislators with this task, by disseminating the idea that it was no longer necessary to show executions, but simply to report their proper functioning within the prison compound. The convergence of all these elements can explain why this ancient form of power, which consisted of putting a citizen to death to exhibit the power of the king or to act unilaterally on behalf of the greater good, was ultimately abandoned.

This volume is the first dedicated to the “depublicization” of executions in France. In contrast to other historical studies of abolition, it focuses on the little-known process that caused executions to gradually disappear from the urban landscape. The book illustrates how, throughout France and sometimes in the absence of any legal rulings, the justice system concealed the guillotine, held back the crowds, and conducted executions under cover of darkness. Capital punishment went haywire, lost its meaning, and came to be seen only as an archaic form of violence. The executioner similarly became the object of scorn, losing his original sacred nature and resembling a lowly civil servant of death. Criticism of the death penalty by the elites attested to the simmering crisis between brutalization and civilization. This crisis was ultimately resolved by the gradual disappearance of the symbol of state violence. From this perspective, the gradual depublicization of the death penalty is one of the forms taken by the civilizing process.

This text, and in particular its introduction, was revised for a U.S. audience, and with a view to incorporating new scholarly developments on the death penalty. Its reflections on the meaning of retribution, the visibility of violence, and presence of corporal punishment in a democracy are likewise at the heart of public debate in the United States. It thus hopes to further the dialogue between

the two countries.

Emmanuel Taïeb, Paris

ABBREVIATIONS

AD	Archives départementales (Departmental archives)
AM	Archives municipales (Municipal archives)
AP	Archives de Paris (Paris archives)
APPO	Archives de la Préfecture de Police de Paris (Archives of the Prefecture of Police of Paris)
CARAN	Centre d'accueil et de recherches des Archives nationales (National Archives Centre for Access and Research)

Introduction

Civilizing Public Executions

On June 24, 1939, just a few weeks before France declared war on Germany, the Daladier government passed eight wide-ranging decree-laws. In preparation for the upcoming war, these measures concerned issues as different as replacing the Phoenix submarine, which had recently been sunk, and blocking the circulation of foreign political tracts. Following a demand by the prime minister, the president of the French Republic, Albert Lebrun, also signed a number of laws regarding family benefits and weekly rest. One of these decree-laws had a very specific target, however: it sought to eliminate publicity for executions. Borrowing elements from draft legislation that had never been passed by Parliament, Lebrun decreed that executions must from then on take place behind prison walls. The guillotine was therefore secreted away—although the death penalty would not be abolished until 1981. In 1939 Lebrun's decree was celebrated by several newspapers that had long campaigned in favor of eliminating executionary publicity, but other newspapers stated the decision without questioning its validity. It was not merely the country's entry into war that prevented this decree-law from being challenged politically. In fact, throughout the Third Republic, the disappearance of public executions had given rise to a substantive debate that largely legitimized this decision. Although the decree itself was adopted just a few days after the Versailles execution of Eugène Weidmann, which took place in broad daylight and was extensively photographed by journalists, the issue of executionary publicity had long been in the public's crosshairs. With its decree banning the use of this specific technology of power, the Daladier government recognized both the changing social mores that had come to reject executionary publicity, and a punitive arsenal that could now dispense with the guillotine's visibility. Ultimately, it put an end to a long and practically uninterrupted tradition of publicizing pain, suffering, punishment, and decapitation, commonplace since antiquity and the Middle Ages.

Executionary violence thus left the urban stage, in much the way that other previously common practices were gradually eliminated by the “civilizing process.”¹ The guillotine was removed from public sight, just as public autopsies, cemeteries, slaughterhouses, the sight of blood, and smell of garbage, and finally Les Halles, the central Parisian marketplace, were cleaned up and hidden away. And yet it was not particularly difficult for people to imagine what an execution might look like. Even though the “timbers of justice” had exited the urban stage, death and executions had found a new home on television and in newspaper photography, where shootouts, hangings, torture, and other deadly disasters were acceptable fare. Decapitation was the only image to be banned from peak viewing hours, as if executions conducted by decapitation possessed an extra sprinkling of the macabre that transformed death into an obscene sight. As scenes of decapitation had long been expelled from public view, they came to exist only in the public’s imagination—whereas such imagery had long existed throughout history at a time when decapitation was not an extraordinary event. In fact, between 1870 and 1939, the executionary ritual of decapitation, having taken place 566 times in France, was familiar to a great many individuals.²

The Death Penalty as a Phenomenon of Sovereignty

Executions are political rituals of violence. They take place in the public sphere following a joint decision made by political and judicial authorities. We suggest that it is possible to study executions using a new methodology: by no longer focusing directly on the death penalty as a form of punishment, but by concentrating on its publicity. In practice, executionary publicity and the death penalty are historically independent issues. The question of publicity has received much less attention, however. Shifting the focus away from the death penalty also allows us to avoid penning the umpteenth history of abolition and falling into the common teleological trap of assuming that the death penalty only exists for, through, and in a trajectory toward its abolition.

The goal of this volume is, therefore, on the one hand, to analyze the public dimension of capital punishment to the extent that it is a manifestation of power and a spectacle that is shown and watched. On the other hand, and most important, the book also seeks to describe the growing challenges to

executionary publicity that began in 1870 and ultimately led to the elimination of this form of publicity. In other words, we shall seek to understand what led the authorities to abandon one of their penal technologies, as well as the changes that helped eliminate executionary publicity while maintaining the death penalty. How and why did executions go from being a familiar form of urban spectacle attracting numerous spectators to something obscene and incompatible with the regime's values that had to be hidden away behind the prison's great walls?

Changes in executionary publicity were due to demands emitted by both the press and various public authorities wishing to remove executions from the public gaze. They likewise stemmed from the public's lowered tolerance for violence and growing desire to censor violence in the public sphere. Most of the modifications to executionary publicity did not, in fact, come about as a result of legislative action, even if legislative attempts at control were recurring. On the one hand, major change did not occur through legislation because parliamentary proposals were a weak form of action that merely echoed the scandal surrounding certain executions. And on the other, legislation was ineffective because the question of executionary publicity transcended partisan lines.

The evolution of executionary publicity is a rare case that illustrates the gradual change in a government's use of punitive technology. Public executions were an institution that gradually became less and less commonplace—and yet the death penalty remained enshrined in French law. The death penalty long continued to be part of the government's punitive repertoire, but the public's relationship to executionary publicity grew problematic. We must therefore examine the changing social structures that surrounded criminal law at the time. Historical sociology is useful in examining executionary publicity because it helps us to describe the role of the death penalty within the government's punitive repertoire and the ways in which public sensibilities influenced executionary ritual, first altering and ultimately eliminating it.

Not only is the death penalty a matter of state concern but, throughout history, it has consistently been a phenomenon of power. The death penalty is both the manifestation and consequence of political power, and its relationship with its subjects can be violent, armed, and lethal. It is thus a phenomenon of sovereignty and a form of political violence that is justified by the law. Strangely enough, however, the issue of the death penalty is rarely discussed in French analyses of political violence or general works of political science—even though it would seem to be a perfect example of the embodiment of state violence. This

relative disinterest in the death penalty is likely due to the fact that executions have often been seen as the expected outcome of a well-known and “unsurprising” legal process.

Functionalist analyses of the death penalty have revealed that it was historically an instrument in service of society as a whole. During antiquity, putting a criminal to death helped to purify the city.³ Prisoners of war were often beheaded so that their heads could be kept as trophies and proof of the enemy’s capture.⁴ Death was sometimes even a secondary concern in executions, as can be seen from the simulated executions performed on suicide victims.⁵ In such cases, it was much more important for the living to send a message of disapproval through a simulated execution and thus to morally ostracize suicide victims. The specific form of an execution was also important, often used to mark a degree of dishonor. In feudal France, subjects were executed in different ways according to their rank and status. Forms of execution were determined by hierarchy, and ranged from beheading (*décollation*), which was reserved for the nobility, as it was considered the swiftest and least disgraceful way of dying,⁶ to the various forms of torture applied to commoners (the wheel, hanging, burning at the stake, sometimes several methods used consecutively). In addition, hanging was used for women and clergymen, whose blood was never to be spilled. Of course, there were occasionally switches from one mode of execution to another.⁷

In antiquity and especially in ancient Greece, societies did not have an established executioner. The death penalty was applied either by the group as a whole or by the head of the family.⁸ The right to administer punishment changed when societies evolved into sovereign entities: that is, when a central power began to strengthen its monopoly over physical violence. Centralization is marked by the sovereign’s gradual appropriation of the means of justice, which starts out as private and “societal” but becomes the exclusive purview of the state. This concentration of sovereign power remains the preserve of European societies—unlike in the United States, as David Garland explains, where the death penalty “is never a straightforward assertion of untrammelled sovereign power.” On the contrary, “in terms of the death penalty, the American state is a self-effacing one, preferring to disappear into the concepts of ‘the people’ and ‘the law’ rather than execute offenders in its own name.”⁹ According to Garland, this rejection of sovereign power is only rhetorical, however, and the governor’s power of pardon, for instance, firmly belongs to the same realm of political sovereignty as that of his European counterparts. In France, the death penalty was gradually nationalized as the law was harmonized and codified and as the

executioner's role was institutionalized and professionalized throughout the sixteenth century.¹⁰ The executioner ultimately started receiving a fixed salary during the reign of Louis XVI.¹¹ The figure of the executioner thus stood halfway between the people, from whom he originated, and the sovereign, whose weapon he became once legitimized by the divine: he ensured continuity between these two forms of justice, the traditional and the modern. In addition to the executioner, however, the sovereign also came to possess the *droit de glaive*,¹² or "right of sword," which allowed him to invoke the death penalty in his dispensation of criminal justice. In this system, the death penalty no longer directly serves society, it serves the sovereign.

Paradoxically, by linking together sovereignty and the death penalty, the sovereign helped to subtract executions from the realm of common law, transforming them instead into an attribute of sovereign power and authority. Punishment thus becomes political, an emblem of the monarchy. Rather than belonging to the law, it begins to involve a number of considerations and functions increasingly outside of the judicial realm. Thus Michel Foucault writes that punishment is in fact the place where the exercise of power is least juridical.¹³ It is the final realm where power is wielded, but it is not a place of law as such. The death penalty must be considered as existing outside of the penal system for two complementary reasons. First of all, it is manifestly an imperfect attempt by the sovereign to appropriate a more archaic form of punishment, the *lex talionis* ("an eye for an eye"). During the Third Republic, it was possible to see the *lex talionis* sometimes as a vestige of an older legal system, but it largely came to embody everything that was not yet codified, and its place within a modern legal-rational system was questioned. In his reflections on punishment, Émile Durkheim observed that there was no particular reason for punishment to resemble the triggering crime.¹⁴ Punishment should be used to reform the guilty individual rather than to imitate his or her crime. Crime and punishment were thus seen as sharing an intimate bond, but one that could nonetheless be broken. By incorporating the *lex talionis* into the penal system, the sovereign introduced something into the law that did not belong to the legal realm but was in fact an atavistic legacy—and in the case of the death penalty, an untenable form of retaliation and of punishment by analogy. The law should not and cannot resemble criminality. It cannot, for instance, "involuntarily" kill someone as punishment for involuntary homicide,¹⁵ nor can it burn down an arsonist's house.¹⁶ As it is unable to follow such analogies to their logical end, the law should not go down this path. Arthur Koestler and Albert Camus both argued that the mentality of retaliation belonged to a certain time and place and

would not ultimately endure for centuries. They saw it as part of an outdated conception of the law, based on a rudimentary system of vengeance.¹⁷ Even today, the death penalty is often associated with wanting to take “an eye for an eye” as punishment, thus proving just how far outside of the regular criminal system capital punishment remains.¹⁸

Second, executions were also the modern version of an ancient magical practice: by putting to death a group’s enemy, the group would be spared contamination or defilement, and the enemy’s death would help regenerate the community. This was a form of functionalism that viewed the social group as a biological body, where the amputation of a member has effects on the whole. This idea also found its way into the nineteenth-century theory of “social defense,” which legitimized the death penalty as a means to preserve society from an internal threat.

The “magical” virtues of executions were especially prevalent in religious discourse used to justify the death penalty. The religious establishment was quite comfortable with the idea of the sovereign wielding control over capital punishment. It neither claimed nor denied that executions were a religious act or a form of expiation and it did not repudiate the various religious connotations that came to accompany the legal use of the death penalty. In fact, both secular and religious authorities shared the same objectives. With regard to seventeenth-century England, J. A. Sharpe has demonstrated the influence of religious leaders on the executionary ceremony, in particular on the “last words” spoken by the condemned and breathlessly awaited by the public.¹⁹ Last words belonged to a specific style that allowed the condemned individual to express his repentance and thus gave a definitive meaning to his execution. Sharpe argues that the public came specifically to hear such speeches. As a result, the ceremony is seen as meeting its religious objectives: the condemned recognizes his sins and makes peace with men and God before his death. Executions are to provide a “good death,” a way to separate the soul from the body and thus to gain access to divinity. But repentance is not a mechanical process and it can only exist within a religious framework that uses executions as a means to force the internalization of obedience to God. However, it is also a form of ideological control, primarily over the flock of spectators, though secondarily over the condemned as well.

Before the guillotine was adopted as the sole method of execution, the variety and duration of different punitive measures established a close relationship between the public and the condemned that was sanctioned by religious

authorities. The condemned would often chant and pray. Through their gestures and speech, they would express their repentance, warning the public of the dangers of leading a dissolute life and straying from God. As Michel Bée describes, the public would take up these songs and pray alongside the condemned.²⁰ Executions might have been solemn, but they were never silent. The public did not participate only as spectators: it also accompanied the condemned in their preparations for death and the final judgment. Executions during the *ancien régime* thus benefited from both religious and secular approval, with the exception of the executions of Lutheran heretics, which started at the beginning of the sixteenth century. As the U.S. historian David Friedland has shown in his work on executions in France, the fact that Lutheran heretics were “obstinately unrepentant,” and instead manifested joy before the scaffold, stalled the edifying process and transformed executions into spectacular, newsworthy events. Executions became spectacles rather than rituals.²¹ But in all cases, executions were a way to obtain the public’s obedience through noncoercive means—except with regard to the condemned, of course—and thus the public’s acceptance of both religious and political authority.

Functionalist perspectives endow the death penalty with solely religious (not political) objectives; perspectives that look at the development of the right to exercise capital punishment often reach a similar conclusion. This is the case when Durkheim analyzes the origins of the death penalty. In his interpretation, the disjunction between the nature of the crime and the nature of the punishment proves that punishment is not derived from criminality but from societal, religious, or cultural elements. The transgression of a taboo does not personally injure anyone, and yet it is harshly punished. If the distinction between the crime committed and the punishment suffered is very marked in such cases, according to Durkheim, that is because the transgressor of a taboo is a threat to the group and its foundational elements. The penal system is therefore seen as emerging from a “sentiment of religious solidarity.”²² The penal law of traditional societies thus essentially managed a kind of “religious criminality”—that is, a kind of criminality directed against the beliefs of the group. In the Western world, the diminishing importance of religion meant that transgressing taboos was gradually viewed as less and less serious. Codified forms of punishment did not disappear, however: they were instead applied toward the repression of “human criminality” and offenses against individuals.²³ Durkheim explains that strictly speaking, the changes were not due to the “tempering” of penal law but rather to lower anxiety regarding the transgression inflicted by such crimes. Human criminality is an affront to general sympathy for other humans, but it does not

transgress norms such as the infringement of a taboo. Repression is consequently less violent because the moral scandal is less great.²⁴

Following this reasoning, the death penalty, the method used to punish absolute religious transgressions, should have disappeared. In any case, if the disappearance of the most serious crimes—religious crimes against God—gave way to the crimes of men against other men, which were less severely punished, there was no obligation to preserve the death penalty. We are therefore left with the question of why it was in fact preserved.²⁵ Here a second dimension of Durkheim's analysis is relevant, as he pivots away from religion to address the political sphere. According to Durkheim, it is necessary to take into account a society's level of organization and concentration. Repression increases as societies form, but once they are established they can make do with softer penal laws and a lower level of repression in general.²⁶ Max Weber and Norbert Elias argue that when moving from a society to a state, as power is progressively centralized, the state can decrease the use of military and coercive means and manage illegal activity without fear of being overthrown. The right to punish changes hands and also gains new objectives, shifting from the realm of private justice to central power. The right to punish thus becomes an attribute of sovereignty: it is derived from the violation of the sovereign's absolute power and the challenge to his laws. According to a sort of circular logic, penal law thus punishes any attacks on the foundations of the right to punish. Borrowing from Durkheim, Foucault explains that "the law represents the will of the sovereign" and that crime attacks him indirectly.²⁷ By inflicting punishment, the sovereign restores—or rather, reminds the public of—his sovereignty. Whether the death penalty punishes the transgression of a sovereign endowed with divine characteristics or a strictly political sovereign, it only exists because it is a constitutive element of this sovereignty. In both the internal and external order, the right to punish by death did not accidentally survive in contemporary societies, waiting for some kind of hypothetical change in societal sentiment to make it disappear: it is consubstantial with the existence of power.

During the Middle Ages, the absence of executionary publicity was an exception, but it became the norm in the twentieth century. Moreover, it seems likely that the hidden forms of punishment were those that were the most inspired by Christian ideas of penitence.²⁸ They were designed for the condemned individual to atone and be reintegrated into the community, whereas public forms of punishment were those that the sovereign exploited for other objectives. Essentially, they were designed to showcase power, to serve as an

example,²⁹ and to deter crime,³⁰ without paying particular attention to the condemned individual. The death penalty is thus an opportunity to publicize punishment—so much so, in fact, that an analysis of executionary publicity can be conducted separately from a general analysis of capital punishment. By using publicity, the authorities sought to demonstrate their ability to enforce the law and illustrate what happened to those who broke it. By concentrating its efforts on executions, the government sought to control, edify, and educate the population. And finally, it also wished to reveal the identity of those who were executed and prove that sentences were carried out.

One of the primary challenges associated with executionary publicity involved making the public space and the urban landscape coexist: that is, relying on the city and its residents to create a space of diffusion that informed the public an execution had taken place.³¹ Executions could always be “public,” in the sense of being state actions that were accessible to all and provided the basis for criticism by spectators, but the forms and effects of this publicity were correlated with the structures of the public sphere. And yet during the Third Republic, when “the public use of reason”—in Habermas’s definition of activity in the modern public sphere³²—was applied to executionary publicity, it took the shape of objections to the punitive spectacle, based largely on public sensibilities regarding violence. Publicity was caught up with the public’s rapidly changing relationship to the urban landscape. The rise of the penny press, the spread of indoor entertainment, and the transformation of urban space into a site for economic and cultural activities all posed stiff competition for the executionary spectacle, which required a direct view and the willing display of violence. Consequently, for each execution the authorities struggled to ensure the political effectiveness of punishment while appropriating and transforming a portion of the urban landscape in order to perform a visible ritual of death. The gallows (in England) and the guillotine (in France) were forms of punishment that were practiced outside, but the adoption of other forms of punishment, such as the electric chair, the gas chamber, and lethal injection (all practiced in the United States) has driven executions indoors. As Garland observes, political and legal authorities no longer seek to display a lengthy process of punishment; on the contrary, they are aiming for efficiency. The result is that today, in U.S. executions, “what gets performed is nonperformance.”³³

Another problem associated with publicity was the presence of spectators, an issue that was inseparable from all manifestations of power in the public sphere. However, studies of collective mobilization have rarely examined participation

in political ceremonies, in part because such participation involves random groups that are not acting together to achieve a shared political goal. They have also overlooked this kind of participation because it is associated with the result of attempts to legitimize power. The citizens who attended these kinds of ceremonies were not enlightened, but rather blinded by state propaganda that in fact specifically required their participation for the ceremony's proper functioning.

The case of execution spectators was no exception to the rule: we find almost no studies specifically focusing on the former in France, even though execution spectators were frequent and numerous. In fact, small local executions would regularly draw several hundred spectators, and major executions in the capital could attract some forty thousand viewers. *Mutatis mutandis*, these throngs can be seen as another example of the large-scale manifestations that characterized the Third Republic: presidential funerals, May 1 celebrations, burials in the Pantheon, and so forth.³⁴ Large crowds were a major element of executionary ceremony. They simultaneously represented a miniature cross-section of the people, the group to be edified, the public whose reaction would be observed to determine whether publicity had kept any meaning, and the proof that the rules of publicity were being respected. Executions were an act of power that only existed in a collective dimension. As a result, we must abandon the spurious opposition between the enlightened masses involved in political mobilizations and the uninformed, "emotional" crowds who attended political ceremonies.

The Third Republic was simultaneously the moment that the issue of publicity came to a head and the executionary spectacle yielded to secrecy. The regime marked a period of transition when the authorities, despite the existence of prisons, had not yet completely abandoned the spectacle of suffering. Instead, they started to shift the public's gaze away from death, fully supported by the public's strong feelings on the subject of violence.

Republican Sanctions

The year 1870 marks the beginning of the time period studied here, for several reasons. In September of that year, the Third Republic was established. More

significantly, however, the year began with an unprecedented execution. On January 18, young Jean-Baptiste Troppmann was executed in Paris. His execution was extraordinary because of the crimes he had committed (he had assassinated an entire family) as well as the unprecedented media coverage of his trial, including by the burgeoning penny press. The murders and the execution both seemed to “prophesy” the coming times. In fact, they did much to shape the narrative models, representations, and commentary that would dominate the Third Republic, and also helped place the issue of crime and punishment at the center of public debate. Furthermore, 1870 was also the year that saw two political decisions affecting publicity: the elimination of the elevated scaffold, which meant that the guillotine had to be placed directly on the ground; and the designation of one single executioner for the whole country, assisted by five individuals, as specified in the decree of Adolphe Crémieux, the minister of justice in the Government of National Defense on November 25, 1870.

Likewise, 1939 was an important year. First of all, it was the year of the last public execution, that of Eugène Weidmann on June 18. More symbolically, 1939 was also the year the famous executioner Anatole Deibler died. Because he had occupied his post for forty years after succeeding his father, who had himself been executioner for close to twenty years, Anatole Deibler and the Deibler name in general had become synonymous with the death penalty.

The role of the death penalty must therefore be contextualized in accordance with the Third Republic’s penal practices as a whole. In France, the growing influence of prisons as well as a decline in the number of convictions leading to the death penalty meant that fewer and fewer executions took place over the course of a century and a half. The spectacle of death became rarified and stopped being a familiar sight in many cities—thus explaining the political attention paid to the issue. Each execution in fact highlighted the full scope of this unsolved problem.

Numerous changes in the penal system also helped to gradually abolish corporal punishment and in turn isolate the death penalty within its little corner of the law (see table 1).

Table 1 Dates when major punitive practices were abandoned

PUNITIVE PRACTICE	YEAR ABANDONED
Mutilation	1545
Forehead branding, cropping	sixteenth century
Burying alive, drowning, boiling	Late fifteenth–early sixteenth century
Galley slavery	1748
Torture to elicit a confession	1780
Torture to increase suffering	1788
Dismemberment, burning at the stake, the wheel, decapitation by sword, hanging, whipping	1789
Amputation of the hand for patricides	1832
Branding	1832
Public humiliation	1848
Death penalty (political)	1848
Deportation	1938
Executionary publicity	1939
Death penalty (criminal)	1981

During the Third Republic, the death penalty was applied to more than twenty crimes, with a few variations.³⁵ For the purposes of comparison: a move to reduce the number of capital crimes emerged at the end of the eighteenth century in the United States and spread to the various states over the course of the nineteenth century.³⁶ On the contrary, the British “bloody code,” developed at the beginning of the eighteenth century and finally eliminated in 1837, had significantly increased the number of capital offenses, prescribing the death penalty for more than two hundred crimes and misdemeanors, especially those involving property.³⁷ The French system was not interested in property or political crimes because the death penalty for political matters had been abolished in 1848. The main remaining crimes were assassination and murder—that is, attacks on life in different guises. This was the main preoccupation of the Third Republic, legally speaking. Globally, for the period 1870–1939, the conviction rate for the death penalty did not vary much and no significant decline can be observed. The same is true for the number of executions compared to the number of convictions: on average, eight executions took place for every twenty-seven death penalty convictions per year.

Given the absence of accurate statistics before the *Compte général de l’administration de la justice criminelle* was first published (its publication was thereafter only interrupted between 1914 and 1918), the figures relative to the pre-1826 period are fragmentary and should be approached with caution; the traces they left behind, however, seem to suggest a considerable number of executions. Pascal Bastien thus mentions twelve executions per month on average in Paris during the prerevolutionary period.³⁸ In a medium-sized city like Aix-en-Provence, more than eight hundred executions took place between 1700 and 1790, which would seem to indicate colossal national figures.³⁹ Nonetheless, it should be noted that, over time, the number of executions gradually declined from its apogee during the sixteenth and seventeenth centuries until the practice was abolished, without ever returning to its previous summits. The high number of executions can be explained by the existence of two concomitant legal factors: the significant number of convictions that could require the death penalty, and the rhizomatic proliferation of courts likely to demand and pronounce such sentences (common law courts, but also provost courts, military jurisdictions, and courts of exceptions). The decrease in the number of executions during the nineteenth and twentieth centuries thus stemmed from the efforts of legal experts to harmonize the law, limit the application of the death penalty, admit the

existence of extenuating circumstances, and finally, make the death penalty an exceptional form of punishment.

The number of executions between 1870 and 1939 (566) is low compared to the data from the previous era, 1826–1869, when about 1,376 executions (or 30 per year, on average) were carried out.⁴⁰ But no significant decline occurred between 1870 and 1939, with the exception of three years (from 1906 to 1908) in which no executions took place because President Armand Fallières systematically pardoned all those sentenced to death. For example, 112 executions took place during the decade 1870–1879, and roughly the same number (117) fifty years later, during the decade 1920–1929 (see figure 1).⁴¹ Although the pace did not pick up after 1918, one interesting feature is the growing number of double, triple, and even quadruple executions. This new practice revealed the authorities' desire to minimize the number of executionary spectacles by executing the same number of people over increasingly shorter periods of time. Between 1870 and 1918, a multiple execution occurred every twenty-one months (including two quadruple executions and three triple executions). Over a period of time half as long, between 1919 and 1939, a double execution took place every fifteen months. With the exception of four women, all those executed were men.⁴² Women were both less likely to be convicted of crimes and more likely to have their sentences commuted to life in prison if they were sentenced to death. As a result, no specific debate surrounded the issue of executing women. Moreover, three of the four women who were executed were sentenced as accomplices with their husband or lover.

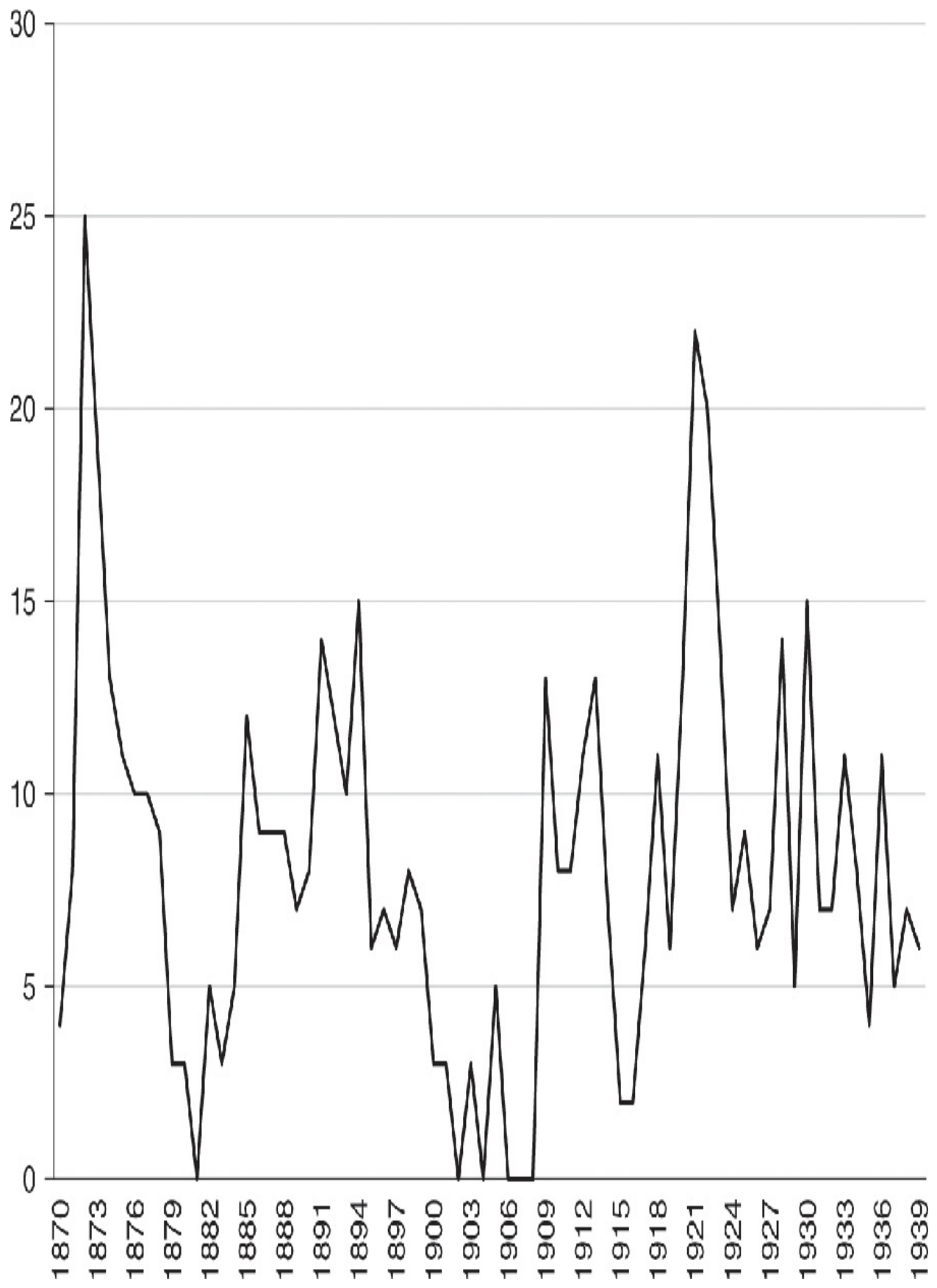


FIGURE 1. Number of executions per year (1870–1939) (total = 566)

The political concerns and legislative debates regarding executions and their publicity can only be understood within the broader context of representation and imagery that alleged a rise in crime, the invasion of the “dangerous classes,” and growing political unrest, especially as embodied by the anarchist movement that challenged the very basis of the regime. Likewise, the public was fascinated with crime, and viewing society as inherently criminogenic, it indulged in endless accounts of recent crimes and misdemeanors. Social anxiety and perceptions regarding crime and criminality thus deserve to be analyzed from a historical perspective.

Throughout the Third Republic, uncertainty concerning crime and insecurity was great. According to Alfred Fouillée, overall crime tripled over fifty years, and youth crime (committed by those between sixteen and twenty years old) quadrupled.⁴³ A few years later, in an issue questioning the need to whip “Apache” gang members,⁴⁴ *L’Éclair* observed that adolescent crime (of those aged sixteen to twenty-one) had increased 450 percent between 1830 and 1905. This increase was said to involve primarily murders and assassinations.⁴⁵ Was this a unique specter haunting this era? Dominique Kalifa reminds us of the importance of this subject, explaining how the Left condemned the “Apache terror” maintained by the police prefecture, but the reactionary press attacked the radical government and the police for not fighting against crime.⁴⁶ The death penalty’s retreat into the shadows, the failure of forced labor deportation, changes in the criminal code, and the growing presence of the prison system, both in debate and practice, were all factors that doubtless helped to make crime a dominant concern at the time.

In the imagination of French citizens during the second half of the nineteenth century, crime represented a different world, one that lurked below ground. The public also believed in the existence of a “society of crime.” This perception made crime come alive, jumping off the page full of statistics to become local and territorialized. This allows us not only to study it as a phenomenon but also to study specific groups tied to crime, such as the Apache gangsters and the anarchists. In this ethnography of crime, the first territory to explore in order to

uncover the hidden double is thus the urban space. The city pushes to the extreme the dichotomy between the “normal” and the “pathological,” the visible and the invisible. The city’s tony salons existed alongside dangerous neighborhoods, the daytime scene was different from nighttime, and respectable professions gave way to professional criminals. Bad neighborhoods overlapped with trendy areas in an uneasy topography that even Haussmannization was unable to appease: every public execution seemed to further stoke the fire. The demolitions that took place in the center of Paris with a view to expelling crime sent dangerous criminals toward new spaces: the Étoile neighborhood, the Bois de Vincennes, and Bois de Boulogne, train stations, hippodromes, the metro, and later, the neighborhoods that were annexed in 1860. The outskirts of the city retained their tense ambiance, in particular near the fortifications, seen as the “rough parts of town” where thugs hung out—to wit, the Apache gangs emerged in Belleville in 1900.⁴⁷ These gangsters were a new species that fascinated the general public. They formed a sort of “Apache Paris” at the very heart of the city, emerging above ground whenever one of theirs was put to death.

As certain geographic locations became associated with dubious neighborhoods, crime also gradually became synonymous with a specific group that embodied crime and fed into the medical and anthropological fascination for criminality. A biological view of crime has generally associated criminals with primitive species. In particular, racial theories of crime triumphed thanks to the historical transition between an older medieval conception that viewed the poor in the image of suffering Christ and a more modern fear of the poor, who were accused of all sorts of ills,⁴⁸ and the legal need to identify criminals, especially once bodily markings were eliminated.⁴⁹ A certain kind of criminal anthropology thus strove to conflate the working classes with the dangerous classes and to identify physical traits that predictably revealed an individual’s membership in the criminal race on their face or body. Arthur de Gobineau’s theories of scientific racism, developed during 1853–1855, and Darwin’s concerns regarding programmatic racial degeneration if eugenics was not employed meant that criminals were viewed as belonging to an entirely separate and inferior race.⁵⁰ The concept of “living together” in society was threatened not only by the existence of crime, a frightening issue for many, but also, and especially, by the existence of a criminal race that had nothing in common with the rest of the population. If the criminal race was not part of the general public, Darwinian exegesis explained that this was because several races could exist contemporaneously without having reached the same stage of development.⁵¹ This idea was revolutionary because it provided a developmentalist explanation

for the persistence of crime even in societies of law and order. And criminal science played an important role in the debate on the right to punish and, more specifically, to employ the death penalty.

The death penalty was an institutional political practice with two indivisible dimensions of publicity: the exposition of executions, which was a legal obligation for the authorities as well as a professional one for the press, and attendance at executions, which projected onto the practice a certain number of moods, emotions, and opinions that were determined by cultural mores and prevailing social representations.

To further investigate the death penalty from the perspective of historical sociology, we examined legal archives and several dozen pardon applications for individuals sentenced to death during 1870–1914. These sources were particularly useful because most of the time pardon applications contained a detailed write-up of each execution as described by the attorney and addressed to the minister of justice, including in-depth information about how the execution unfolded, plus sometimes external elements regarding disturbances or public debates. The departmental, municipal, and Paris police archives we consulted provided considerable organizational data, allowing us to understand the effect of executions on a city. Written documents from a variety of different fields (medicine, criminology, literature, etc.) were also central to our investigation, whether they were contemporary or modern. In addition, we were able to consult the fourteen notebooks kept by the executioner Anatole Deibler, which constitute an unrivaled source of firsthand executionary accounts at the beginning of the twentieth century.⁵²

Finally, we paid special attention to the press and consulted several dozen national and local papers: the popular press provided the main form of contemporary access to executions. We particularly focused on *Le Petit* journal for the period in question. We analyzed it as the paper of reference rather than as an entirely representative source because throughout the period under examination it was published without any explicit political affiliation. *Le Petit* journal was an “average” newspaper, the same way that we talk about “average” language used by the ordinary public. The paper expressed the social and political spirit of the times. Instead of just recounting facts, it managed to portray a certain vision of society, of how social and political activities were perceived and understood. Ultimately, we sought to comprehend how contemporary citizens viewed the death penalty, given that almost none of the paper’s readers

had physically witnessed an execution. Le Petit journal was the channel through which most individuals gained access to information regarding executions. This newspaper must therefore be considered as a public source and as a place in which the death penalty was represented. From this perspective, the newspaper is an extremely useful archival source, more valuable even than other administrative sources such as police reports and legal documents that contain firsthand information but are bound by administrative jargon and hierarchical power relations. Moreover, these documents were not publicly available at the time. They are therefore not very useful for understanding the public's everyday relationship with death and executions.

We must therefore abandon the idea that the penny press was an inherently illegitimate source employed by the elites to impose a "popular" understanding of current events. For even if journalists tried to normalize their readers' behaviors and offer a certain vision of the world, it is hard to believe that this power lay in the hands of current events columnists and other "information drudges."⁵³ If there is a bias inherent to this systematic analysis, it lies in the picture of the omnipresent death penalty that it paints. In fact, among the various biases affecting the study of newspaper headlines in the context of event-driven analysis,⁵⁴ we should not overlook the artificiality bias. In reality, the process of unearthing and then linking together all the articles of a single media platform concerning the death penalty is the work of a researcher, not a reader, and would not have been adopted by otherwise disinterested contemporary citizens. The results produced by this approach thus do not reveal how the death penalty was viewed over several decades by a single media outlet because both editors and the times changed, and they also do not reveal a veritable newspaper culture of the death penalty as constructed by journalists. In fact, these results merely depict an artificial series of executions laid out end to end for the purposes of analysis.

From this sociohistorical perspective, the relationship of both spectators and the authorities to executionary publicity emerges as a privileged vantage point from which to study how a certain punitive technology was influenced by public sensibilities.

Punitive Technology Challenged by Public Sensibilities

During the Third Republic, the executionary edifice began to crack. Although both the death penalty and its publicity were challenged during this period, the latter was the first to fall. The elimination of executionary publicity was the final step in a process of reevaluation that stretched out over several decades. It signaled the conclusion and the failure of a routine publicity device. The study of executionary publicity thus shines light on the political conditions behind the production of a political ritual of death—the exercise of circumscribed state violence—and reveals what was simultaneously problematic about this publicity and ultimately pushed it into the shadows.

Throughout the nineteenth century, French authorities were slow to question their publicity regime, whereas other countries had already abandoned public executions. Several different hypotheses as to why executionary publicity was challenged and ultimately eliminated tend to vary depending on the country being studied (see table 2).

According to Pieter Spierenburg, in the Netherlands, the challenge to executionary publicity stemmed primarily from a fundamental change in the public's tolerance for violence. He views public sensibilities essentially from a negative perspective as “verifiable expressions of anxiety or repugnance,”⁵⁵ as emotions that are endured and then expressed in reaction to external stimuli. Spierenburg seems to largely agree with Norbert Elias, who believes that sensibility is first and foremost a means of expression and a way to measure how social practices influence individual affective economics by provoking unpleasant reactions. In fact, several times in *On the Process of Civilization*, Elias uses sensibility as the hub through which the civilizing process passes whenever a social activity is dominated by a negative feeling.⁵⁶ The abandonment of a social practice is conditioned by the emergence of negative sensibilities that stem from anxiety or repugnance.⁵⁷ Public sensibility is thus both the vector and the site of emergence of sensations of ease or discomfort when perceiving the external world. Their evolution over time allows us to historicize the inner lives of and emotions felt by spectators as well as the self-reflexive accounts that individuals used to give those feelings shape and context.

Table 2 Dates when executionary publicity and the death penalty were abolished in the nineteenth century, by country

	PUBLICITY ELIMINATED	DEATH PENALTY ABOLISHED
Austria	1873	1950 (common law)
Canada	1869	1976
England	1868	1964
Germany	Depending on the states, between 1851 and 1863	1949 (in West Germany) 1967 (in East Germany)
Netherlands	1860	1870 (common law)
Portugal	1867	1852 (political) 1867 (common law)
Spain	1900	1978 (common law)
Sweden	1877	1921 (common law)
United States	In the northern states first, then in the South, between 1830 (Connecticut) or 1833 (Rhode Island), and 1936 (Kentucky)	In 22 states, between 1846 (Michigan) and 2020 (Colorado)

Sources: René Quérenet, "Les exécutions capitales et leur publicité," *Bulletin de la Société générale des prisons*, vol. 10 (1886), pp. 155–175; Emile Clairin, "Réponse de M. Midosi, correspondant de la Société à Lisbonne, au questionnaire sur la peine de mort," *Bulletin de la Société générale des prisons*, vol. 10 (1886), pp. 1016–1018; John Pratt, *Punishment & Civilization. Penal Tolerance and Intolerance in Modern Society* (London: Sage Publications, 2002), *passim*; Stuart Banner, *The Death Penalty: An American History* (Cambridge, MA: Harvard University Press, 2003), pp. 154–156; Laurence Thibault, *La peine de mort en France et à l'étranger* (Paris: Gallimard, 1977); Death Penalty Information Center, <http://www.deathpenaltyinfo.org>. Consulted on April 13, 2020.

In particular, the upper classes and the political players in charge of legislating executionary publicity gradually came to see public executions as an intolerable spectacle. The emergence of this disgust was tied to the state's growing stabilization. As the state had less need to exhibit its defensive powers, executions became rarer and social mores became more refined. The elites thus proclaimed their disgust for violence against the condemned, opposed their public exhibition, and finally rejoiced when executionary publicity was outlawed. The disappearance of public executions was the political solution found for a long-term evolution in sensibilities. Unlike Foucault, Spierenburg does not seek to explain the criticism of publicity from the sole vantage point of its criminal utility. He thus rejects the opposition between increased insensitivity toward executions and the state's desire to wield ever greater control over crime.⁵⁸ According to Spierenburg, the challenge to publicity did not stem from inherent disturbances caused by the executionary ritual or from the popular unrest observed by Foucault, insofar as both of these elements had been present, albeit not massively, for a long time. Their historical presence cannot therefore provide an explanation for the public's growing hostility to executionary publicity.⁵⁹

In fact, Foucault attributes the disappearance of protracted and visible methods of torture to the political rejection of the executionary spectacle, as such ceremonies were "suspected of being in some undesirable way linked" with crime and of "accustom[ing] the spectators to a ferocity from which one wished to divert them."⁶⁰ The fear of popular unrest pushed punishment into the shadows. It was as a technology of power that punishment became a secondary attribute of the sovereign—without changing sensibilities coming into play at all.⁶¹ From this perspective, the gradual disappearance of executionary publicity was due solely to a change in the techniques employed by those in power. Foucault thus speaks of the "reorganization of governmental reason" that helped to make the death penalty disappear.⁶² This form of punishment was abandoned when it seemed more worthwhile to rehabilitate, using the prison system, than to punish and torture. The publicity regime surrounding executions would therefore merely follow the broader trend affecting the technology of power.

In his study of capital punishment in Germany, Richard Evans challenges Spierenburg's theory of dominant elite sensibilities. Evans believes that this underestimates the weight of the "common people's" emotions because the

popular classes were not repulsed by executions. In fact, he argues, the upper classes would not have been disgusted by executions either, in that their adoption of military values meant they often wished to be spectators.⁶³ The elimination of publicity was thus neither a top-down reform nor the result of upper-class sensibilities trickling down to the lower classes. Opposing Foucault's theory of executionary disturbances, Evans argues that such events were rare; more attention should instead be paid to sensibilities and representations of executions.⁶⁴ According to Evans, the privatization of executions must be seen both as being linked to the gradual concealment of individual deaths and as a means of adapting capital punishment to the "changing structures of the public sphere," which prohibited the latter's display.⁶⁵

In his study of England, V. A. C. Gatrell remains skeptical regarding the weight of reformist sensibility. According to Gatrell, sensibility was largely used as an oppositional resource by the Whigs who rose to power in the 1830s: the concept of sensibility was linked to a vocabulary that justified action. Moreover, because sensibilities varied greatly, an explanation for criticism of publicity should instead be found in the influence of political, economic, or bureaucratic factors, rather than cultural ones.⁶⁶ In a similar fashion, Philip Smith argues that reformers were less concerned with the political consequences of public executions than with decorum and their influence on the moral lives of citizens. Reformers were wary of the various interpretations that could be made regarding recourse to execution, and they were not terribly afraid of the political disturbances that the death penalty might cause.⁶⁷ Nonetheless, Gatrell admits that the disappearance of public executions was an important "civilizing moment" in English history that put an end to an era of shocking public disturbances. This moment marks the recognition that condemned men (and sometimes women) were suffering individuals, not merely symbols of corruption in the body politic. This was not, however, a "humane moment" in British history: the civilizing process camouflaged and redeployed violence without necessarily diminishing it. As a result, executions continued to unfold behind prison walls for a long time: "Hiding horrors did not end them."⁶⁸ In fact, for John Pratt, the change in sensibilities was enough to reject the visible suffering of condemned individuals precisely because those contradicted the values of the civilized world—but this change was not significant enough to completely abolish the death penalty.⁶⁹ Consequently, hiding executions was a compromise employed to placate Western values and standards.

In the United States, criticism of executionary publicity was very fragmentary

and it disappeared at different times depending on the state in question. The movement toward the elimination of public executions began in the 1830s in the North and reached the South at the end of the century. The last public execution was that of Rainey Bethea, hanged for rape in Owensboro, Kentucky, in 1936. The fact that ten to twenty thousand people attended this execution, which was also accompanied by the sale of hot dogs, alcoholic beverages, and souvenirs, led to vehement criticism in the national press. The authorities in Kentucky were ultimately forced to conduct subsequent executions behind prison walls. The state legislature then abolished public hangings in 1938,⁷⁰ or one year before France's experience with the Weidmann execution, which was similarly seen as the executionary straw that broke the camel's back.

Working from Foucault's theory, Annulla Linders explains that executions gradually stopped being public in order to deprive the common people of the pleasure they got from being spectators: the authorities were afraid of the "brutalizing impact" that executions might have on spectators, inciting violence and provoking clashes with the police.⁷¹ Once stripped of their rowdy public, executions became respectable and were only observed by a handful of chosen witnesses. Publicity was therefore eliminated because it was seen as counterproductive with regard to the new forms of social control. Nevertheless, the role of sensibility should not be overlooked. Stuart Banner notes that at the end of the eighteenth century, a new vision of human nature was born, "one in which humans were not born evil."⁷² A certain sympathy for the condemned thus took its place alongside advocates for animal rights and antislavery activists. This shift in sensibilities does not necessarily run counter to Foucault's "utilitarian" vision, illustrated when he analyzes changes in the technology of power: "To 'punish better' in the late eighteenth century required partially substituting prison for capital punishment only because capital punishment was widely thought to be causing too many people to sympathize with the criminals."⁷³ Garland likewise reconciles the two different perspectives with a "strategic shift in the exercise of state power—an arrangement that gains more by concealing death and violence than by showing them," and the emergence of humanitarian sensibility in the nineteenth century.⁷⁴ Humanitarian sensibilities gradually became intolerant of violence, whereas civilized sensibilities were primarily concerned with limiting the "aesthetic affront" of public executions.⁷⁵ John Bessler adds that the elimination of publicity also bolstered the abolitionist movement: during the same period, from 1897 to 1917, ten different states abolished the death penalty.⁷⁶

Are these explanations for the decline in executionary publicity specific to the countries studied or can they be applied more generally? Whereas Spierenburg seems to propose an open model, he does not explain why a strong, centralized state with a long and established history such as France would have been forced to preserve executions for as long as it did,⁷⁷ but the United States, where state presence is less marked, started to eliminate publicity fairly early on in its history. In the same vein, Foucault overestimates the reversal power of executionary ritual. Although some executions, such as that of Damiens in 1757, presaged changes in political technology, none ever overthrew a regime or gave rise to truly insurmountable disturbances that were perceived as a political threat. Nor does Foucault provide an explanation for the lengthy period of coexistence between the prison and the death penalty throughout the twentieth century. If the death penalty had truly been useless, it would surely have been abandoned by the law at an earlier date. Next, if we consider Gatrell's criticism of sensibilities as being merely linguistic resources to be deployed in the public debate, it must be stipulated that it is not because elite sensibilities are being essentially measured that they are artificial political tools. Truly measuring popular sensibilities of the past is a difficult thing to do because we can only ever have access to the sensibilities expressed by the elites who produced written accounts. But nothing leads us to believe that these socially varied sensibilities were also different with regard to their content—or at any rate that they did not feed into each other. Elias just reminds us to what extent the mores of the upper classes served as behavioral models for the lower classes, influencing public sensibilities in general.⁷⁸ It thus becomes very difficult to untangle what purely belonged to an elite sensibility and what was part of a broader popular attitude partially influenced by the upper classes.

Finally, it should be noted that the study of the criticism of executionary publicity is the study of not only an evolution but also a breaking point, insofar as executions were ultimately removed from the public sphere and their nature changed radically. We must therefore think simultaneously of an evolution and an ending. This volume rejects any kind of monocausal explanation for the disappearance of executionary publicity and instead adopts a configurational approach to the criticism and protest surrounding the phenomenon. Contrary to Foucault, we have chosen to emphasize the role of sensibility to violence in order to explain the objections to and final disappearance of executions, rather than merely focusing on changes in political techniques. Our reasons for this are twofold: on the one hand, because it is impossible to see political decisions regarding publicity as nonhistorically contextualized choices existing in a sort of

isolated chronological sequence; and on the other hand, because it is possible to demonstrate that the political actors in charge of modifications to the publicity regime were embedded within a system of sensibilities, convictions, and values that all tended toward this technological shift. In fact, sensibilities that were hostile to executions and demands to adapt the executionary ritual to new social standards were the driving force behind changes to the death penalty during the Third Republic.

Moreover, this volume seeks to link the disappearance of public executions with the gradual trend toward the concealment of other events from the public sphere as part of a broader “process of privatization.”⁷⁹ Spierenburg argues that altered sensibilities were not the root cause of challenges to the existing publicity regime, but rather that “the privatization of executions reflected a change in sensibilities.”⁸⁰ The study of executions must first and foremost allow us to understand the nature of the civilizing process and not just to describe how this process transformed sensibilities.⁸¹ Analyzing sensibilities means examining the public’s dread of visible violence, moving from the macrosocial structures of the civilizing process to the practices and rhetoric of specific actors. We can thus describe the transformation of a technology of power through emotional and communication actions in the public sphere. The goal is therefore not to establish a causal link between the development of a culture of intolerance toward the punitive spectacle and the “depublicization” of executions, but rather to establish an order of precedence between changes in political technology and changes in the public mindset. From a Foucauldian point of view, in fact, technopolitical change presided over a shift in the public mindset. For the historian of sensibilities Alain Corbin, however, or for Philip Smith, who has specifically studied modes of execution,⁸² this technical transformation was governed by new cultural perceptions of the punitive methods wielded by those in power. For example, the invention of the guillotine was a technical response to the political demand for a rationalized method of punishment that would put an end to the barbaric practices of the *ancien régime*.

Looking at the eighteenth, nineteenth, and twentieth centuries, it would appear that executions were increasingly difficult both to hold and to watch. Although the general traits of the executionary ritual remained the same, a certain number of elements revealed a trend toward limiting or simplifying this ritual (patricide cases were particularly toned down). The pomp and circumstance of executions was thus gradually stripped away as their staging was pared down. Executionary publicity declined over just a few decades even though it might long have

seemed to be a broadly accepted institutional practice. A process-based approach thus allows us to unearth the sociopolitical drivers of the depublicization of executions and their ritual—their “formalization,” defined here as the circumscription of the deployment of violence ultimately leading to the concealment of the brutal practice.

We shall therefore seek to understand how sensibilities could be divided, how the same era could both reject violence and preserve the death penalty, and how sensibilities that were hostile to visible executions were able to tolerate the death penalty once it was hidden but legally maintained. This was precisely what happened during the Third Republic: public debate hinged on the acceptability of visible violence while, at the same time, the very presence of violence seemed incompatible with the more sophisticated mores of the time, the development of an enlightened and peaceful citizenry, and the Republic’s self-image. As the issue of executionary publicity grew more and more separate from the issue of the death penalty, it gradually became apparent that although the former dealt with representation and spectacle, the latter was solely concerned with violence. Abolishing the death penalty meant eliminating a form of violence, but prohibiting executionary publicity did not spell the end of executions. Challenges to the publicity regime can be seen as stemming from the sole desire to conceal the spectacle of violence, not from the desire to eliminate violence entirely. We may therefore wonder whether the lowered threshold of tolerance for violence truly concerned acts of violence or just the spectacle of violence. Did the civilizing process entail a veritable decline in violence or just a decline in the representation of violence? We must not forget that objections to executionary publicity and its ultimate disappearance do not express an inherent stance with regard to violence. It was not violence that shocked and scandalized the public, but its widespread and frequent display to the masses. The depublicization of executionary ritual was thus a deeply ambiguous phenomenon that reveals little about what was actually concealed.

When executions were still visible, starting in the second half of the nineteenth century, publicity most often took the shape of straightforward newspaper accounts. This was how most contemporaries had access to descriptions of the death penalty. It therefore seems useful to start our analysis by looking at how executions were historically depicted in the press. The press played a large part in public debate: it gave executions a specific image that was shaped by its own professional standards and style. The press also sought to compete with the legal publicity regime in the hope of being the primary source of information once

official publicity was eliminated (chapter 1). Executionary publicity was not universally contested, however. Many were still attached to the show of political force embodied by public executions, as well as the opportunity to morally “test” oneself. Faced with the advocates of this form of “brutalization,”⁸³ we should nonetheless nuance the idea of the programmed disappearance of violence in the public space and examine the arguments that backed the preservation of public rituals of execution (chapter 2).

The political desire to alter executionary rituals can be seen in the choices made regarding execution sites, which were increasingly subject to a process of rationalization that moved executions ever closer to the prison walls in order to stop their public spread (chapter 3). The ceremony retained its general formal structure, although several elements were forbidden over time. As a result, the actors responsible for managing executions also became ad hoc guardians, working to prevent photographs from being taken or holding executions at night so that the spectacle would quite literally become invisible. The ritual that was specific to the Third Republic entered crisis mode. It was discussed by Parliament, which sought to come up with a new publicity regime that would be capable of incorporating the emerging channels of information (chapter 4).

Much like the figure of the executioner, the entire staging of the executionary process came to seem both commonplace and outdated. New uses of the executionary spectacle began to emerge and quickly escaped the authorities’ control. In addition to providing us with numerous archival sources, the “sensitive men” who observed public executions while repeatedly decrying the spectacle unwittingly illustrated important shifts in the psychological landscape of the turn of the twentieth century: the urban space was seen as the site of interactions from which violence and overly strong emotions were banned (chapter 5). The elimination of executionary publicity thus becomes inseparable from the practices of the modern public sphere. Under the Third Republic, many people learned to be the spectators of new sights that worked by representing a reality that was physically absent (dioramas, cinema) and in turn acquired new standards of speed. They came to find executions too slow, marred by shocking incidents, severed from reality, and likely to produce unhealthy emotions. Ultimately, these spectators began to develop a public culture accustomed to more distanced forms of political communication. The depublicization of executions was achieved when the authorities concluded that the public spectacle of death no longer had an exemplary effect and was no longer a tool that legitimized the state’s monopoly over physical violence (chapter 6).

In 1939, when executions moved behind prison walls and thus definitively exited the public stage, it marked the beginning of remote governance, a new stage in the transformation of the public sphere: power no longer had to manifest itself directly, but could instead use various media platforms to assert itself. The disappearance of public executions also signaled the advent of the civilizing process, which sought to conceal anything that might provoke anxiety or negative emotions. The criticism levied at and the final disappearance of public executions illustrates a historical moment when a technology of power was gradually modified, eliminated, and concealed thanks to the efforts of the elites as well as, most likely, to the efforts of executionary spectators, because the emotions that executions unleashed were in contradiction with society's desire to reject violence. The elimination of publicity did not resolve the problem of violence in the Republic or immediately solve the issue of the death penalty, which would drag on for another four decades, but it did demonstrate that people were no longer willing to tolerate a certain kind of state violence. It also revealed a phase in the evolution of the psychological landscape in which self-control came to be determined by the authorities and their instruments.

CHAPTER 1

Competition between Legal Publicity and the Press

“Press executions” were both artifacts and documentary reports, in particular because it was in the best interest of sensationalist popular newspapers to transform each execution into an event, providing the conclusion to a criminal story they had covered from the very beginning. By creating anticipation and emphasizing the excited crowds that waited impatiently in front of the guillotine, the press appropriated executions for itself. Such forms of appropriation directly conflicted with the desire for discretion unfailingly expressed by the authorities.

Starting with the execution of Jean-Baptiste Troppmann (1870), which would become a narrative and critical template for subsequent executions, the penny press used the crowd as a means to challenge the requirement for legal publicity, and to promote a new, essentially journalistic form of coverage. Certain executions were the subject of scandals, although perhaps fewer than the press suggested. Journalists did not invent these scandals, but they did fashion them into stereotypes in order to delegitimize the attitude of onlookers and advocate for the elimination of the existing legal publicity regime.

Media Coverage and the Obstacles to Legal Publicity

Journalists were especially significant because they voiced some of the most visible demands to eliminate executionary publicity via the legislative route. Press articles thus served a double role, both as historical sources—since most of the time reporters had witnessed firsthand the executions they wrote about—and individual elements of what resembled a press campaign to replace legal publicity with media coverage.

It was mandatory for executions to be reported in both national and local newspapers, but such narratives began to wear thin toward the end of the nineteenth century. This form of narrative exhaustion, illustrated by shorter and shorter articles that were often buried deep inside the paper, can be explained by journalists' fear of constantly repeating the same story, and by the presses' criticism of the failing publicity regime.

Resistance to Media Coverage

The conflict between journalism and state publicity was visible from the government's perspective, as the latter was trapped in the serious contradiction of having to hold public executions, while attempting to keep them secret for as long as possible. The government therefore aimed for discretion rather than secrecy. Analyzing the state's organization of executions reveals that a variety of actors at both the central and local levels sought to minimize the publicity and information surrounding executions. Until the very last moment, officials attempted to hide an execution's date from local inhabitants and the press. The goal of government officials was not to deny the people an execution, but to limit the latter's negative effects. Official instructions were thus periodically reiterated so that executions became increasingly concealed from the public.

The first stage in the execution process that was hard to conceal was the executioner's arrival in town, especially if the town was not very large, or if the public anticipated the execution, perhaps already knowing the crime or the criminal. Endowed with no special privileges, the executioner and his assistants had to find lodgings on their own, unless the local prefect requisitioned a hotel room for them. But as certain places refused to house executioners, their arrival in town did not go unnoticed. Neither did the arrival of the executioner's train and the special carriage holding the "timbers of justice" (*les bois de justice*). Hotel owners and railway workers wasted no time in spreading the news of this arrival. And the media then took great pleasure in thwarting the government's attempts at concealment. For the execution of Théotime Prunier in Beauvais, *Le Petit journal* wrote: "Tuesday evening, despite attempts to conceal the executioner's arrival, the news spread quickly; several thousand people spent the night on the square."¹ For the execution of Édouard Holtz in Reims, the attorney

general defended his local counterpart in a letter addressed to the minister of justice sent three days after the execution: “Details regarding the execution had been kept secret by the Reims district attorney, but information leaked to the Parisian press and drew a certain number of people to the site.”² If the district attorney was quick to clear his name and that of his local counterpart, it was because by his account, the execution drew close to four thousand spectators, in addition to Parisian journalists.³

Once informed of the date and time of an execution, district attorneys were required to make a certain number of tangible demands, in particular to ensure police presence. Knowing that total concealment was impossible, they waited for as long as possible before making any such demands; that way, even if these were witnessed, there was little time left for the local population to travel to the execution site. After the execution of the “mother-killer” Désiré Gaussein in Amiens, the attorney for the Ministry of Justice wrote as follows:

In accordance with your instructions, absolute secrecy was maintained during the whole day; it was only at 6 p.m. that I dispatched the necessary notices and requisitions. But the railway workers had spread the news of the executioner’s arrival in town and as early at 10 p.m., people started to head (...) towards the usual execution site.⁴

Despite last-minute demands, unusual troop movements remained hard to conceal and often provided a number of signs to the public. For the execution of Théophile Ginoux in Carpentras, the attorney general had told his subordinates that absolute discretion was necessary, but the fact that almost a hundred troops were deployed made the execution highly visible, ultimately drawing close to twenty thousand people to the execution site, according to *Le Cri du peuple*, the newspaper run by Jules Vallès. As soon as Deibler, the executioner, passed through Lyon on his way to Carpentras, general excitement began to mount. News traveled to and from neighboring communities, and the night train arrived in Carpentras full of spectators: five thousand people, even though nothing had even begun. At the height of the execution, twenty thousand individuals were reported.⁵ No incidents were signaled, however.

The organization of executions thus doubly constrained the authorities, who were forced to establish all the necessary conditions for success without leaving any visible traces. Behind the clash between the two different modes of publicity also lay the government's imposition of politically ideal forms of secrecy. From the government's perspective, any leak symbolized a defeat, which carried the potential threat that executions would once again become completely public.

In 1931 the press started to criticize its rival for publicity, the radio, which had announced the upcoming execution of Georges Gauchet in Paris. The day after the execution, René Bruyez, the journalist in charge of covering executions for *Le Petit journal*, protested against radio's indecency in providing such horrible information. "We know ... that the radio channel, which alerts the police in America, was not above announcing that here a bloody spectacle would be promised a mere twenty-four hours after Christmas."⁶ What is striking here is not so much the fact that the newspaper seems to have forgotten that it had been in the habit of publishing the same type of announcements just a few decades earlier, but that the actors responsible for condemning publicity leaks had changed. At the end of the nineteenth century, the written press—which was by then rather hostile to executionary publicity—supported the government and the authorities in wanting to keep executions secret and was appalled that its direct competitor would reveal the date of an execution. The press accepted the shift toward a diminished executionary ritual, taking note of the protests against the publicity it provoked. Journalism's belief that announcing executions ahead of time or reprinting leaks would guarantee a highly attended and "successful" execution was abandoned. And the press followed in the government's footsteps, taking note of the ritual's diminishing stature.

The last link in the executionary chain that the authorities sought to conceal was what took place immediately after an execution. The crowds were monitored after the condemned prisoner had died and until the entire guillotine apparatus was disassembled, in order to prevent individuals from running up and dipping their handkerchiefs or canes into the criminal's blood. Afterward, those transporting the corpse to the cemetery were escorted and tried to remain discreet, despite the commotion that often accompanied them.⁷ Regarding the aftermath of executions, a certain number of exchanges between central government authorities and local actors illustrate their shared desire to return execution sites to normal as quickly as possible. In 1932, on the eve of the execution of Abel Barranger in Versailles, the district attorney sent a letter to the mayor, ordering him "to take all necessary precautions to make the material

traces of this execution disappear from the square in question.”⁸ Everything was to appear as though no execution had ever taken place. In the morning, the city was to look as it had the day before, with no sign that an execution had occurred. This “erasing of all traces” was part of a broader strategy to conceal the events that unfolded between the initial commotion and the return to normalcy.⁹ In fact, what was concealed was the work of concealment itself: namely, the series of actions that guaranteed that all traces of what had happened during the night were removed by early morning. The guillotine was disassembled, the body transported, the square cleaned, the barriers holding in the crowds were removed, and the police force returned to its normal size.

Erasing the traces of an execution and concealing its occurrence signaled the desire to return to normalcy and to allow the city to resume its usual activities. The freedom afforded by nighttime executions disappeared with the rising of the sun. It was not uncommon for newspaper reports to end with a description of the workers who had attended the execution walking home in the early morning hours and crossing paths with those who were heading off to work, a kind of relay demonstrating the unbroken cycle of urban life despite the guillotine’s intrusion. By removing the trace of executions, cities refused to be transformed by bloodshed and visible violence. And when violence inevitably occurred, it was not violence itself that was concealed, but the proof of its existence. Ultimately, erasing the vestiges of executions went hand in hand with the expulsion of death from the visible urban landscape.

But if the authorities only somewhat succeeded in such operations, it was in part because press coverage of executions was not merely limited to short announcements before an execution but also repeatedly described scenes that were no longer supposed to be seen. Press accounts of executions followed a clear narrative structure that included the obligatory figures of speech but, due to a lack of narrative imagination and the persistence of the existing publicity regime, gradually withered away.

Editorial Templates in Execution Narratives

Although some newspapers took advantage of important executions to expound

on the necessity of the death penalty or its publicity, and others had recourse to more subtle articles in which they blended together narrative and questions regarding the death penalty, most of the time the standard press article was narrative-based. An editor's signature was important, but not fundamental, as attested to by the fact that executionary accounts sometimes pointed to another newspaper as their source (if none of a paper's own journalists had been present), or relied on collective signatures.¹⁰ Execution narratives were sometimes left unsigned, using an omniscient narrator to recount the events (and displaying zero focalization). On the other hand, certain execution narratives were signed and exhibited internal focalization.¹¹ During the first years of *Le Petit* journal's publication, signatures were often missing or largely inconspicuous; purely factual executionary accounts kept their distance from the events themselves. Owing to a lack of resources—or perhaps out of habit—the newspaper did not systematically send reporters far afield to cover a “minor” execution; in such cases, it relied on the accounts provided by local papers, or even sometimes on those furnished by readers who claimed to have attended the execution in question.

However, the most frequent formula involved printing two different articles, one describing the execution and another commenting on it. This twofold treatment was widespread and did not usually apply to the executions of “major” criminals, but rather to cases in which the convict was not well-known and problems linked to publicity (or the lack thereof) were therefore more noticeable. Such two-part executionary accounts were also shaped by legislative timelines, in particular the multiple referrals to the Chamber of Deputies of a text designed to eliminate executionary publicity, which the Senate had already adopted in 1884. This double chronology allowed both popular and political newspapers to politicize executions, by presenting each one as a topic for discussion in the broader debate on the death penalty and legal publicity. It allowed journalists to engage in such debates and to comment on factual executionary accounts with more clearly defined positions on existing policies.

But these overlapping timelines also helped to keep the debate alive, granting it an air of permanence that belied the various moments when the death penalty and its publicity were in fact not being publicly debated. And yet, especially in the case of the penny press, the execution narrative was too important a genre to let these gaps in public interest become apparent. When they could not report on an execution or related parliamentary action, newspapers found other means to keep the executionary narrative going. Three such techniques can be mentioned

here. The first was publishing accounts of military executions in addition to civilian ones. Military executions were potentially attractive for journalists because they occurred by firing squad and thus provided a sight just as spectacular as the guillotine. In addition, they followed the exorbitant rules of criminal law, which did not respect any principle of proportionality between crime and punishment. Governed by an autonomous form of the law, military executions were also excluded from general debate regarding the death penalty. Martial law executions were not inherently challenged, and thus gave rise only to case-by-case discussions. After the fall of the Paris Commune, the numerous executions of former rebels were seen as the cold-blooded settling of scores. The execution in Marseille of the Commune's leader, Gaston Crémieux, was largely condemned by *Le Petit journal*, which attacked the "State's dangerous reasoning" that prevented him from being pardoned.¹² The daily paper presented his end as "a beautiful death," both courageous and Republican.¹³ Crémieux was executed on the Pharo promontory at the entrance to Marseille's port, before throngs of spectators gathered all around. Military executions were primarily designed for the troops, who were required to march past the corpse after the firing squad had carried out the execution, but a large civilian crowd was sometimes also in attendance. This was the case in Rouvres for Gosselin, an accused spy, to whose execution seven hundred to eight hundred spectators were "drawn in by the bloody spectacle," but were kept at a certain distance by rows of sentinels.¹⁴ During peacetime, military executions were not covered extensively. They often only warranted a short, dry administrative article, insofar as the individuals and events involved were rarely well-known by the public. However, their existence allowed general press coverage of executions to continue uninterrupted.

The second editorial technique used the stories of executions taking place in the colonies or overseas protectorates to compensate for the lack of metropolitan executions. Nonetheless, in the case of *Le Petit journal*, for example, no colonial executions were treated in as full detail as those that occurred domestically. Most of the time, only a brief blurb was printed to grab the reader's attention.¹⁵ The third strategy included coverage of foreign executions, to highlight either their barbarity or their exoticism—compared to which French executions appeared quite tame—or to comment on an otherwise significant execution. One of the first mentions of a foreign execution in *Le Petit journal* was marked by a rather unrealistic depiction of culture shock. Referring to *Le Droit*, the newspaper gave an account of the execution of an American Indian in the United States (Texas). The convicted man was allowed to return to his family for twenty days, upon the

completion of which he was to willingly travel to his execution site. This is precisely what he did, with a number of family members in tow who did not lose a certain cheerful countenance.

When a certain signal was given, he [the sheriff's assistant] took aim and shot at the middle of the circle [drawn by his brother on the criminal's chest]. After a few convulsions, the Indian fell over backwards; he was dead. No one expressed the slightest emotion, except for his mother who shed a few tears—but one of her other sons coldly reprimanded her by saying, “Be quiet, can't you see that it's all over now?”¹⁶

The newspaper contrasted this utopian execution, where the legal rules were followed so well that they eliminated the possibility of a convicted criminal fleeing, with French executions, where prisoners were stripped to their underclothes and forced to endure their final punishment rather than accepting it—the surrounding atmosphere likewise being far from so dispassionate. Geographic distance allowed papers to idealize executions where the criminal and his family were all acquiescent, where there were no spectators—or suffering for that matter—where death struck with superhuman ballistic accuracy. The act of putting someone to death was reduced to what it was on paper: an administrative act, devoid of emotions or reactions, designed to produce the desired effect (eliminating the criminal) without any embellishment or commentary. In the middle of the violence of 1871, with eight civilian executions and numerous executions of former Commune members, this exotic narrative seemed an imaginary window onto what executions could resemble: an end to violence by means of a rapid punishment, freely accepted by the condemned man, who remained relatively unknown and only appeared in order to deliver himself. The popular daily paper's account thus echoed classical utopian novels, such as Tommaso Campanella's *La città del sole*, which described a city where convicted criminals accepted their punishment and the people gathered to watch, while simultaneously lamenting the fact that they had to lose a member of their society;¹⁷ or Pierre-Simon Ballanche's *La ville des expiations*, which dreamed up a city of expiations, much like the Bible's cities of refuge, where death was no longer part of the legal structure but was instead replaced by the deprivation of civil rights and an imposed ordeal, after which a moral man

would be reborn, free of blame.¹⁸

However, excluding a few incursions into Asian punishment and torture methods, such exotic fantasies merely floated on the fringes: instead, the third journalistic strategy focused on recounting foreign executions. In certain cases, what the newspapers published in fact only bolstered public interest in important foreign affairs linked with the death penalty. In October 1909 the execution in Spain of the Catalan patriot Francisco Ferrer set off protests in Paris organized by left-wing parties, marking the first large-scale modern demonstration.¹⁹ The protests degenerated into rioting in front of the Spanish embassy, where the prefect Lépine was injured in the face and another police agent was killed. The issue at hand was primarily ideological: *La Libre parole* had accused *L'Humanité*, and *La Guerre sociale*, run by Gustave Hervé, of having incited disorder (which Hervé would likewise do the following year in connection with Liabeuf's execution).²⁰ But most of all, the conflict, which included many Spanish anarchists, revealed that a political execution outside of the national territory could still cause a stir. Recourse to the death penalty marked the limit of the acceptable use of force by a foreign state, and became the condition for acting on an international issue. However, this period remained primarily dominated by media coverage of the Sacco and Vanzetti case in the United States (1927) and the mobilizations it sparked. *Le Petit journal* closely followed the story, and interventions to try to save the two men were numerous in both France and abroad: to the extent that their executions and the subsequent protests "naturally" made headlines in the paper, as if these marked the conclusion of a major French scandal.²¹

For a penny press that used death as a source for each of its articles, executions allowed for the publication of articles that condensed elements that were normally scattered across other accounts. Executionary narratives thus seemed to borrow from all different genres without belonging to any of them, existing on the fringes of the miscellaneous (despite rarely being included under this rubric), administrative and political sections, often attracting commentary that was banned in other genres. But the omnipresence of the death penalty primarily revealed the presses' ability to "de-eventify" (*désévénementialiser*) executionary narratives, to free them from executions themselves, thus managing to continually refer to the death penalty even when specific executions were not taking place.

Narrative Exhaustion

Although in-depth press accounts of executions did not completely disappear, they certainly began to dwindle at the end of this period, most notably at the end of the nineteenth century. This trend of narrative exhaustion has several possible causes. Some were internal, related to the writing genre associated with executions, which became a sort of straitjacket that stifled all creativity. Habits turned into repetition and caused executionary narratives to lose all their novelty and thus interest. Execution stories did not, therefore, operate independently from what had been written before; on the contrary, they evolved by accumulating a series of fixed, identical narrative traits, which were often produced by the same journalists (and, at any rate, by the same newspapers), some of whom ended up specializing in this (sub)genre. Alongside such internal factors related to narrative form, external causes also existed, such as significant current events that eclipsed accounts of executions (the First World War, the general strikes of 1936, etc.), as well as the vast numbers of the war dead, which superseded commentary on random criminal cases. Additional causes were linked to executions themselves, which caused their presence in the press to wane. The most important factor was the lack of legislative progress on the issue of the death penalty and its publicity. Tired of waiting for legal publicity to be banned or for a hypothetical vote in the lower chamber to take place—especially following the First World War—newspapers no longer considered these the most important issues on their agenda. Likewise, the legislative branch's lack of interest in the issue of executionary publicity after 1918 led journalists to believe that no real change would occur, and that discussions should focus on the death penalty instead.

Not all executions made the headline of a national newspaper. Only the most anticipated executions, such as Troppmann's in 1870 or those of the Pollet gang in 1909—both also marking the return of executions after a dry spell—garnered an important spot in the major daily papers. And the vast majority of executions were generally mentioned inside the paper, rather than on the front page. Attempts at more discreet placement of those that did appear on the front page also meant that executions gradually dropped from the top to the bottom of the page. Although many execution accounts remained on the front page, they no longer made the headlines and were relegated to a corner,²² or only mentioned on the front page and continued inside. *Le Petit journal* standardized this technique.

Out of the fifteen executions that occurred in 1894, at least six were located on the fourth or fifth column of the front page. Although they were highly visible, such articles were not centrally positioned. The execution of the anarchist Auguste Vaillant, whose bomb attack and subsequent trial had garnered significant attention, was not the paper's main headline. Instead, it was relegated to the fifth column and continued on the second page (despite being only two columns in length).²³ The same year, certain executions were not even announced on the front page and were instead exiled to the inside pages. This was the case for Auguste Loreau and Emile Vaunieuwenhove, who were both mentioned on the third page; the latter received less than a column of commentary.²⁴

As the years passed, this phenomenon of banishment only grew, even affecting the executions of criminals whose trials had been otherwise widely covered in the press. Between 1911 and 1913, both the press and the police watched the Bonnot gang with bated breath, the story ultimately culminating with a siege and bloody assault on the villas in the Parisian suburbs to which Jules Bonnot and two of his accomplices had retreated. But the later execution of four other “tragic bandits” belonging to the gang, whose trials had been widely reported, did not seem to particularly interest the media. The issue of *Le Petit* journal that recounted this (incredibly rare) quadruple execution devoted its front page to the war in the Balkans and its second page to miscellaneous news. The paper only mentioned the executions on its third page (and did not discuss them further in subsequent issues). In 1932 the execution of Paul Gorguloff (President Paul Doumer's assassin) warranted two pictures at the bottom of *Le Petit* journal's front page, but received only two columns on the fourth page.²⁵ In comparison, the execution in Lyon of Sante Caserio, who had assassinated President Sadi Carnot in 1894, had garnered impressive press coverage at the time, including a very long article in *Le Petit* journal,²⁶ and various other mentions in local newspapers.²⁷

Executionary narratives could no longer compete with international news and the impending world war—but most significantly perhaps, they could not hold a candle to other, more striking criminal stories. In the case of the Bonnot gang, what interested newspapers and their readers were the horrible carjackings, shootouts, and sieges involved. Compared to these, executions seemed like a predictably disappointing outcome. Ultimately, the same form of execution always marked the conclusion to vastly different stories. Executions in fact leveled out the playing field, transforming diverse cases into identical narratives.

The predictability of executions made for duller narratives whose form and content could not be perpetually reinvented and therefore lost both readerly and journalistic interest. Executionary accounts no longer crowned a criminal story but merely provided a weak conclusion.

Executionary narratives were thus ousted from the cover by the demands of what we might call today the hierarchy of information; furthermore, their relegation to the inside pages was due to local and geographical priorities. In general, local newspapers only very briefly mentioned executions that took place elsewhere. Local readers were not thought to be interested in such distant executions, unless the case had national impact. If we examine how executions were treated in *La Loire républicaine* during 1892, for example, we see that the most highly anticipated execution was Ravachol's (François Kœnigstein's), which marked the culmination of a national affair but was also a local event because the execution took place in Montbrison. The public clamored for his execution, and the newspaper expressed its impatience ("And Ravachol still had his head on his shoulders!" were the first words of an article on the topic).²⁸ The story of Ravachol's execution ultimately began on the fifth column of the front page and ran three columns in length.²⁹ The executions that followed shortly thereafter did not receive the same sort of coverage, however. Julien Communal's execution was mentioned on the front page, but described only inside; Tardieu (Henri-Pierre Jean) and Joseph Martini's executions were only found inside the paper.³⁰ Local papers were thus less interested in executions in general than in regional events, especially if an execution marked the conclusion to a local story that had been followed for a long time. The fact that executionary accounts were exiled to the inside pages of both local and national papers shows that executions were viewed as a remedy for crime, but not as extraordinary events that required a radical departure from regular journalism. Ultimately, executions no longer occupied the front page for two reasons. First, executionary narratives were on their last legs, all novelty having been drained out of the genre through repetition. And second, executions had been reduced to just another piece of news, whose interest and emotional effect were proportional to geographical distance and the public's familiarity with a given crime and its protagonists.

The genre's burnout could also be seen in the decreasing length of articles on executions. In the case of *Le Petit journal*, until the First World War, executionary narratives were rather elaborate, even for criminals who were not well-known. Subsequently, short accounts and news briefs describing executions were overrepresented. Whereas the latter accounted for 84 percent of a corpus of

135 executions completed during the Third Republic, such short blurbs constituted almost the only form of execution coverage by the turn of the century.

After 1918, newspapers started to lose interest in executions, which could be seen in the proliferation of news briefs and short items merely indicating that an execution had taken place and providing no further information. In some cases, the only information furnished took a truly lapidary form. For example, the eight-line news brief in *Le Petit journal* mentioned the execution of Jean-Baptiste-Arthur Lequy in 1924.³¹ In 1925, in the same paper, seven of the year's nine executions received a similarly concise treatment, often located on the inside pages. The execution of Henri Olivier was dispatched in just five lines.³² Such summary treatment would have been unthinkable just a few decades earlier, when even the most minor of executions would have warranted a brief narrative. Narrative fatigue could also be observed when newspapers simply "forgot" to mention certain executions. Were journalists consciously forgetting, or did they lack the necessary information techniques to produce exhaustive executionary coverage?³³ For local newspapers, published guidelines often determined whether or not a local execution was described, if the execution's date was too far removed from publication, or if readers had already read all the details in the national press. Narrative burnout was also illustrated by editorial disarray, which led many newspapers to start including executions in the "miscellaneous" section, a clear sign that the genre was problematic and journalists no longer knew where it belonged.³⁴

Narrative fatigue was especially noticeable when even famous criminals received summary treatment during the postwar period. The account given of Eugène Weidmann's execution—whose acts of murder had been widely covered by the press—was buried in a short article on the fourth page of *Le Petit journal*.³⁵ *La Croix* similarly included the story on its seventh page, in a short and relatively uninformative article.³⁶ *Le Matin* only provided the execution's details on its sixth page,³⁷ and *Le Petit Parisien* on its fifth, though the latter included a teaser on the front page.³⁸ Weidmann's execution was similarly not of great interest for one Versailles daily, which did not even include the criminal's name in the headline, instead mentioning the name of the villa where the crimes were committed ("The Monster of La Voulzie Has Paid for His Crimes"). In addition, this minuscule article was placed "on the bottom floor," that is, in the page's footer.³⁹

The presses' boredom with executions, which led to the relegation of such accounts to the inside pages, is especially evident when we analyze the semantic fields and images used in certain articles, emphasizing the idea that executions had become fixed, archaic events. In 1931, for the execution of Georges Gauchet in Paris, *Le Petit journal* reported that denizens of the underworld of Place Pigalle and Place d'Italie all converged near the guillotine, situated next to La Santé prison. In front of some four thousand curious spectators, the editor expressed the impression of reliving Liabeuf execution from twenty years earlier, when the police had clashed with spectators protesting the execution: "It was like a visit from the past, a memory of when executions still took place in front of the Petite Roquette and well-dressed revelers and women in revealing gowns came to join the young women and men prowling around."⁴⁰ There was an underlying fear that nothing had truly changed, and that modern executions would be tarred with the same brush as their predecessors. This imaginary look backward to the nineteenth century was rejected with all its trappings, including the kinds of people who attended executions and their attitude in the aftermath when they broke through the line of police officers to dip their handkerchiefs into the dead man's blood. Such actions threatened to turn the execution into a spectacle from long ago.

The ceremony was set in stone; in an article describing the execution of one Mohamed Ben Driss, time even seemed to stop:

Four forty a.m. While a few lit cigarettes glimmered all around, the innocent and motionless stars still hung in the sky. But night begins to fade in the east. Five o'clock; five ten. Mr. Deibler reaches the square in the middle of which stands the machine.

"He doesn't age," someone remarks (...)

The time that starts to pass then is heavier, more interminable, more horrible.⁴¹

Much like their content, executionary accounts began to seem tired, due to their lack of narrative novelty and the absence of changes to the ritual, which made journalists all too aware of their repetitive stories. Attempts to move beyond repetition produced three different narrative strategies. One strategy, which was

visible throughout the period in question, involved paying much more attention to a criminal case and its protagonists than to the execution itself. A second technique consisted in shifting attention on the death penalty away from its publicity and toward its legitimacy as well as on debates regarding the convict's innocence or guilt. When trying to determine whether the "depublicization" of executions paved the way for the abolition of the death penalty, we should be careful to point out that the connection between these two issues is not an automatic one. In addition, we must not forget to examine the disappearance of executionary publicity as a dimension of journalism itself. When executions became invisible, only the death penalty was left to be questioned. In the third and final journalistic feint against executionary repetition, emphasis was placed on the ceremony's only uncontrolled element: the public. Press narratives focused on everything that had to do with scandals and controversies. And if newspapers emphasized such aspects in particular, especially starting with Troppmann's execution—which functioned as a sort of template for a new vision of the crowd and would establish the latter's new relationship with the criminals being executed—this was largely because scandals helped to breathe new life into the genre. It was also ultimately because the newspapers wished to win the battle for coverage and replace the legal publicity desired by the authorities.

Narrative burnout and the fact that execution stories were relegated to the inside pages of newspapers both predicted and mirrored the relocation of executions to prison courtyards. In other words, the presses' lack of interest in executions was one of the preconditions for the elimination of publicity.

Creating the Stereotype of the Popular Scandal

Starting with Troppmann's execution, journalists increasingly highlighted descriptions of the public, this being the only element that remained outside the clutches of legal regulation. The media focused excessively on executionary spectators in order to challenge the legal publicity requirement and advocate for its elimination, which would leave the press as the only avenue for publicity.

To illustrate just how close public executions were to disappearing, contemporary press narratives systematically began to describe the crowd's

outrage, ultimately creating an inescapable stereotype that would come to haunt all subsequent executions. From the journalists' point of view, mentioning the unruly behavior of the crowd was akin to arguing that executions only existed on account of their spectators and, therefore, the two elements had to be considered together. Executionary narratives were no longer just faithful accounts of what had happened, but now provided a framework for the representation of executions with a predetermined interpretation (executions provoked scandals, therefore executions were scandalous), thus forcing readers to view executions from this problematic angle and further undermining executionary publicity.

Troppmann's execution in Paris on January 18, 1870, had several different features that made it an unprecedented event, both in reality and in the media. For the press as well as for contemporary spectators his was a groundbreaking execution that went against everything that had previously been known about executions—even the most spectacular ones—and presented new ways of thinking about executions, crime, and criminals. On the one hand, as Michelle Perrot suggests, Troppmann's execution marked the dawn of the “age of the crowd.”⁴² On the other hand, journalistic accounts provided factual details that would later be found in almost all narratives, in particular regarding the crowd's attitude during the execution. These details illustrated newspapers' staunch position against executionary publicity.

The “Troppmann Moment”

Troppmann's execution established the narrative model for the penny press, providing elements that would become indispensable for later accounts. The first element was the breakdown in the public's understanding of crime caused by Troppmann's murders. Troppmann's contemporaries viewed his crimes as “unprecedented” because of the number of victims involved, where the murders took place—which rekindled public fear of the city's criminal underworld—and their resemblance to a form of parricide.⁴³ A friend of the Kinck family, Troppmann had virtually been adopted by them, and his murder of the whole clan was viewed as sacrilegious, given his quasi-filial relationship with his victims. Troppmann's case was also unique because the man himself stood out, making the public forget all about the various criminals who had preceded him

such as Fualdès (1818) and Lacenaire (1835).⁴⁴ Quite literally, Troppmann did not look like other criminals. For one thing, he was extremely young (nineteen or twenty years old, depending on the source); for another, he seemed defiant and devoid of emotion. Maxime du Camp thus describes how Troppmann, put in a cell with the “moutons” (or “spy convicts”) tasked with discreetly obtaining his confession, “remained inscrutable.” When required to identify the bodies of his victims in the morgue, Troppmann likewise remained “incredibly cold and indifferent.”⁴⁵ The same observations were made during his imprisonment. The director of the Mazas prison where Troppmann was briefly incarcerated wrote the following:

At no moment has Troppmann shown any remorse. He has not expressed a single word of regret. He spoke of his crime with indifference and a revolting sense of calm. The most gruesome details could be described to him without arousing any emotion. He displayed a complete aberration of moral sense: no concept of right and wrong, just and unjust.⁴⁶

Even though other reports painted Troppmann as a vulgar, swaggering man, more in line with the classic criminal archetype, descriptions such as the one above portray a sort of monster, someone capable of killing in cold blood without regret or remorse. Troppmann embodied a new type of criminal fiend, a terrifying persona staged in scenes of bloody horror.⁴⁷ The press echoed this version of Troppmann, though it often had difficulty pinpointing the monster allegedly hidden behind his childlike face. According to *Le Petit journal*, Troppmann’s expression was “sweetness incarnate,” a sort “innocent candor” belied only by his “large thick hands, with long fleshy fingers.... We believe Troppmann is human in some aspects and a wild beast in others,” the article concluded.⁴⁸

But beyond the fact that Troppmann was a “monstrosity” and a “repulsive being,”⁴⁹ what truly worried the public was determining if this new kind of criminal might undermine the entire judicial system. Troppmann could be punished, but it seemed as if he would never atone for his criminal nature. Troppmann, to whom many statements were attributed, said that he was afflicted with a “mania for reasoning,” an obsession with making money that drove him

to commit crimes.⁵⁰ As a corollary to his savage or bestial nature, cultivated by his years of hard labor,⁵¹ the press wondered if his madness was not also fostered by his dubious reading choices. *Le Petit journal* suggested the idea that Troppmann might have been influenced in the past by Victor Hugo's *Dernier jour d'un condamné* (Last Day of a Condemned Man),⁵² which was an indirect way to criticize a work whose first-person narrative allowed "weak minds" to identify with the narrator,⁵³ thus making the text an incitement to crime (even though it was originally written in support of abolishing the death penalty). The main fear was contagion: the democratization of reading, combined with crime narratives, ran the risk of depraving the youth and creating generations of budding criminals. The modern form of criminality that Troppmann embodied was thus a democratic one, in which unfettered access to texts could easily manipulate minds to become criminals even despite their better nature.

For several decades, Troppmann's name would be associated with sadistic criminals: "the Belgian Troppmann," the "Troppmann of Franche-Comté," and so on.⁵⁴ Likewise, the mother of Augustin Guyard, a man accused of matricide, had declared: "My son is a real Tropman [sic], I will die by his hand."⁵⁵ Young Léon Bourgongne was nicknamed "the Troppmann of the Aube."⁵⁶ And the political cartoonist Adolphe Willette called "a German officer in a series of war cartoons from 1914 to 1918 Herr Troppmann [sic]."⁵⁷ If we accept Dominique Kalifa's hypothesis,⁵⁸ Troppmann's name seeped into public consciousness by becoming a general epithet that condensed all sorts of gory descriptions rather than through the official narrative, which largely lacked such details. Each crime and each criminal recalled another, simultaneously increasing the public's memory of crimes but also providing historical details that allowed people to interpret and integrate each new crime in an existing context. Each new "crime of the moment" thus provided a name and an explanatory framework for the crimes that followed it, producing an artificial serial effect. Just as the public began to remember important crimes, it also began to focus on the criminals themselves, who were then neatly integrated into a lengthy genealogy. Georges Grison, who worked for many years as a journalist for *Le Figaro*, described the case of one criminal who refused to take off his tie for a photograph because he had seen a picture of the criminal Louis Menesclou without one on and had thought this made him look disreputable.⁵⁹ But this cult of criminality was especially visible thanks to the number of criminals' tattoos that mentioned Deibler or Caserio, the man who had assassinated President Carnot,⁶⁰ Troppmann's persona became fictionalized; he became a pop culture figure, even a character in serial stories and various novels.⁶¹ He embodied a new criminal

archetype, heralding the century of monstrous killers and a shift toward a new kind of criminality that no longer followed traditional motives and could only be explained based on an inherent criminal nature that existed independently of both acts and victims.

Troppmann's crime became something that everyone could exploit, which was evident in the way the public—gradually transforming into a crowd—physically followed the Troppmann case from crime site to execution site.

The Illegitimate Attitude of the Crowd

The story of Troppmann's execution did not invent a new genre, but it helped to cement the factual elements and main figures of an existing narrative. It became a standard against which other executions held during the Third Republic were compared and, in turn, informed press narratives.

Press accounts were legitimized by the interest and integrity of the journalists who studied a case and its outcome. Troppmann regularly made the headlines and his execution was widely covered, marking a boom in executionary narratives. For the press, covering Troppmann meant establishing a precedent that would allow it to cover similar cases in the future, using crime stories on the front page to perform roughly the same function as contemporary serials. Troppmann created the necessary conditions for the media to establish proximity with executionary coverage, and thus for press publicity to emerge and challenge legal publicity.

Executionary narratives placed renewed emphasis on the size of the crowd in attendance. The first thing mentioned in an article was whether a given execution had drawn a large crowd. In other words, by making the sheer volume of people the sole criterion for an execution's "success"—rather than its publicity—newspapers gave the public a significant role to play in the process. Measuring the crowd sometimes began even before an execution took place, by determining if impatient spectators were already milling about. A few days before Troppmann's execution, *Le Gaulois* said:

In a day or two, the sinister scaffold will rise up on the Place de La Roquette. Since the appeal was rejected, many impatient individuals have spent the night near the prison where Troppmann is awaiting his final act of atonement. They walked past in the thousands, singing, indifferent, visibly pleased by this free spectacle provided for them, albeit at the cost of a horrible crime.⁶²

The lore surrounding the scaffold was another element of Troppmann's execution that the press generally highlighted in order to condemn it. This mythology was essentially commercial, the whole spectacle permitting the sale of "related products." The Russian writer Ivan Turgenev, who was in attendance at Troppmann's execution and would ultimately describe it in a narrative essay, observed that photographers were selling portraits of the assassin⁶³ (Le Petit journal was quick to point out that these were not, in fact, always images of Troppmann himself), and that at Whitechapel, reproductions of the knife used to kill the Kinck family were being sold.⁶⁴ Commerce also flourished thanks to the stands that popped up around the execution site. Le Siècle merely alluded to the presence of food and refreshment vendors,⁶⁵ but Le Figaro lamented that the town square had become "a veritable fairground," with "sausage, bread, cognac, wine, beer, and orange vendors everywhere, loudly hawking their wares."⁶⁶ The crowd was not just waiting patiently for the execution: it occupied the urban space and became an integral part of the executionary process. Legal publicity was stripped of all its glory, providing an urban spectacle for the dregs of society. The throngs were criticized for marring the execution's solemnity and its edifying objective, transforming it instead into a festive and licentious spectacle. In fact, the crowd distorted the aims of legal executionary publicity altogether.

And an air of festive celebration was indeed the element that brought together different segments of the population. The noisy, flashy festivities of the working classes found their counterpart in the witticisms of the demimonde and socialites alike. The executionary spectacle was not reserved for the night owls that haunted the cabarets of the Bastille: it was also enjoyed by the Parisian smart set, there to see and be seen. For our purposes, however, it is less fruitful to mention the notable figures who attended Troppmann's execution (Du Camp, Victorien Sardou, and Turgenev), and more interesting to observe that press narratives consistently emphasized the presence of this kind of spectator in order to

demonstrate that executions leveled the playing field, putting all segments of the population on equal footing. However, what bothered the press was that Troppmann's execution created the opportunity for scandals and clashes with the police to arise. It was therefore not surprising that with hindsight, certain authors claimed to have observed the seeds of the Commune in the crowd watching Troppmann's execution.⁶⁷ This was not merely a random group, temporarily brought together by a morbid motivation, but a potentially political and revolutionary crowd whose composition was similar to the mobs of 1789 (once again, the Bastille was just down the street), 1830, and 1848—a crowd, therefore, that ultimately threatened a coup d'état.

The descriptions in the press of the “wretched crowds” should therefore be read as signs indicating that the public's disorder could possibly tip over into rebellion.⁶⁸ These depictions ultimately served to cultivate the stereotype of the uncontrollable mob. Such signs were immediately evident and troubling when real clashes with the police occurred, as they did on the morning of Troppmann's execution. When the police sent to remove spectators from the Place de la Roquette arrived, they were greeted with shouted protests and hurled stones. In addition, the official report mentioned that in the cafés, spectators sang the Marseillaise with all its ancient fervor.⁶⁹

Hyped up by the media, and already boasting a larger-than-life persona, the Troppmann execution likewise received an outsized public reception. The number of spectators was massive, and this high level of attendance prompted both worry and criticism. A threshold had been crossed: from now on, the presence of an audience at “public” executions posed a problem, even though this presence was historically undisputed. Contemporary critics were troubled by the crowd's (allegedly) unruly behavior, which was viewed as an unacceptable addition to the executionary procedure. Criticism of the public's behavior took a number of different forms. The attitude of the lower classes was condemned for not being in line with generally accepted social behavior, namely, that of the educated classes who, it was intimated, displayed respect, “silence,”⁷⁰ thoughtfulness, and “mourning.”⁷¹ For journalists, this objectionable behavior illustrated the lower classes' fundamental lack of understanding; they argued that the idealized conduct of the elites was the only legitimate form of behavior. Behind such condemnations of the disorderly public, one can intuit the behavioral monitoring of the working classes by the elite, which was a condition for the classes' coexistence during the executionary spectacle, and a precondition for the latter's public success.

The attempt to alter public emotions was a three-pronged endeavor. First, it was a means for the elites to establish their own attitude as the rightful one, in contrast to its more visible and troubling counterpart. The elites and journalists were forced to attend executions, but their motives for doing so could not be the same as those of the lower classes. To this end, Albert Wolff, an editor at *Le Figaro*, explained: “What are we doing on the town square? We’re not there because we want to see a head fall into a basket. We all followed the same reasoning: we said that if we were going to talk about the death penalty, then we had to have witnessed it close up.”⁷²

There was no sadistic pleasure taken in what was presented as a burdensome and unwanted professional obligation. According to contemporary journalists, their professional dimension prevented them from investing emotionally and allowed them to preserve a certain distance and indifference. The desire for change then took the form of petitioning the authorities to adjust or eliminate executionary publicity. Georges Froissard, a columnist at *Le Gaulois*, made an explicit demand to this end: “When will the Government decide to hold executions behind closed doors?”⁷³ Ultimately, recriminations regarding the public’s behavior functioned as a sort of warning to the elites, depicting what executions had become and questioning whether well-bred individuals should still be witnessing such spectacles.

Some newspapers were overwhelmed by the thought that an upcoming execution would infect the crowd with “disgusting cheerfulness,”⁷⁴ as one paper reported, and “highly inappropriate merriment,” according to another.⁷⁵ The association between death and celebration was condemned, whether this took the form of crowds joyously dispersing after an execution or of the applause that accompanied the fall of the blade. A different type of tribute was expected: “It must regrettably be said that when the blade fell, energetic applause could be heard, not around the scaffold, but among the crowd that was barely contained at the entrance to the square. This was a repeat of the scandalous scene that had taken place in the court of assizes.”⁷⁶ Similar to Nicolas Mariot’s illustration with regard to the applause received by presidents while traveling that is always seen as a form of popular support,⁷⁷ journalists consistently interpreted the cheering that took place at executions as a manifestation of the crowd’s joy in attending the event. And yet executions were not meant to be spectacles or events greeted with applause. If the press were to be believed, executions were meant to resemble religious ceremonies, with clapping being prohibited during a performance. Journalists did not even consider the possibility that executionary

applause could be a form of controlled emotional release in which the public could freely participate, resembling theatrical catharsis or political argument. In this socially divisive conflict regarding behavior, journalists expected the working classes to possess the same degree of self-control as they themselves did, similarly rejecting exuberance and joyful cruelty and thus adopting a socially acceptable demeanor.

The vast majority of journalists measured the public's level of self-control by the amount of noise it made. According to them, applause, cries of joy, and howling all constituted noise pollution. The reporters criticized not just the size and movement of the crowd but also the sounds that it made. Although a certain dignified silence was expected—which would have provided the appropriately emotionless aural landscape desired by the authorities—it was replaced by the crowd's incessant shouting. A journalist for *Le Figaro* described the scene as follows: "You can hear savage yelling and see the agitation of the throngs. (...) Disappointed, the crowd lets out ferocious cries. It was not to be robbed of its execution!"⁷⁸ These cries were also the expression of uncontrollable joy: "Pleased that it had witnessed this gruesome scene, the crowd streamed into the Rue de la Roquette with joyful cries," wrote Georges Froissard.⁷⁹ While awaiting the execution, the crowd emitted a "terrible hooray,"⁸⁰ in addition to its constant "cries, insults and vociferations,"⁸¹ when the vehicle loaded with the guillotine appeared at the entrance to the square. For *Le Petit journal*, the "cruel and iniquitous greed" that brought people to the foot of the guillotine was strictly "indecent,"⁸² especially when it was coupled with the superstitious actions of some spectators who ran up to the scaffold to dip their handkerchiefs in the dead man's blood,⁸³ as had been done at the execution of Louis XVI.

Paradoxically, although such excessive and emotional forms of behavior were condemned, the lack of sufficient emotional reactions was also criticized at times. When reporters could discern no particular emotion on the faces in the crowd, they condemned the public for its lack of concern or compassion. *Le Petit journal* included the following: "The public's drawn and haggard faces displayed a dazed and gloomy expression that could only be observed with disgust."⁸⁴ The newspaper's criticism reveals that the crowd had become more repulsive than the act of execution itself. After Troppmann's execution, an editor for *La Presse* observed: "I noticed that the crowd's emotions were the same before and after the execution. No one showed indignation, or pity, no understanding of the crime that had been committed. People had merely come to witness a spectacle."⁸⁵ The possibility that this silence might have been a form of

self-restraint was not envisioned, nor was it linked to other forms of respect or interest, observed when spectators took off their hats as the condemned criminal appeared, or when they animatedly discussed the execution while waiting.⁸⁶ Although, in some other cases, silence was perceived as a sign of the strong impression the execution had produced, here it was seen as a lack of understanding, an insult to the execution's supposed exemplarity.⁸⁷

In addition to the aforementioned forms of cruelty and scandalous behavior that were attributed to the executionary crowd—a characterization that would only become more prevalent in later press narratives—the mass of spectators was also, albeit less frequently, compared to the uncontrollable elements of nature. This comparison removed executions from the realm of administrative rationality and shifted them into the domain of sensory perception. *Le Figaro* described the throngs as a “wild flood,”⁸⁸ and *La Presse* furthered the analogy: “It looked like a rising tide of humanity, accompanied by the clamoring, rustling, and shouting of the unwashed masses of Paris, who sneered and tossed out insults.”⁸⁹ The same analogy inspired Turgenev in a famous passage:

The noise struck me by its resemblance to the distant roar of the sea: the same sort of unending Wagnerian crescendo, not rising continuously, but with huge intervals between the ebb and the flow; the shrill notes of women's and children's voices rose in the air like thin spray over this enormous rumbling noise; there was the brutal power of some elemental force discernible in it.⁹⁰

This description of the noise associated with the execution reveals that the number of spectators was much greater than usual. The size of the crowd present for Troppmann's execution mirrored the excessive zeal displayed by both the public and the media regarding the case. Although official sources simply mentioned “a considerable crowd,”⁹¹ one newspaper reported between 15,000 and 20,000 spectators.⁹² This fairly unprecedented number revealed the paradoxical nature of executions: they needed to be public, but they were not to attract excessive numbers of spectators. Executionary publicity thus became problematic when the public transformed into a crowd, whose presence shed all its humanity to become a natural, telluric, or bestial phenomenon.

Newspapers Advocate for the Elimination of Publicity

Many newspapers were in favor of the death penalty, but they often found the publicity required by executions to be problematic. When newspapers began to advocate for the elimination of publicity, it was not that they opposed the death penalty as such, but merely its legal publicity. If legal publicity were to be abolished, that would in fact allow newspapers to play a greater role. Each execution thus became the opportunity for a new call to eliminate publicity. A “successful” execution was no longer one that executed the convicted criminal, as required by the legal system, but an execution at which no scandals occurred. Latching onto the parliamentary debates, newspapers recalled previous elections, which they had themselves helped to portray, in order to highlight the distorting effects of executionary publicity and to petition the legislative authorities for its elimination. These challenges followed a somewhat predictable schedule, insofar as articles criticizing publicity were most often published right after an execution, or were timed to coincide with legislative proposals to eliminate publicity.

Troppmann’s execution revitalized journalistic attacks on legal publicity. In Le Gaulois, Louis Arnold recalled the existence of a petition filed by Charles Lucas before the Imperial Senate in 1867 to eliminate publicity. The petition described the crowd as looking to

satisfy its unhealthy appetite and morbid curiosity; what crowds took away from the spectacle was not respect for the law, but familiarity with violence, cruelty, and bloodshed.

The petition argued that executions should take place inside prisons, and legislation should be adapted accordingly:

Let us therefore firmly abolish publicity for the death penalty, as we have already eliminated the iron ring [carcan] and exposition. In that way we shall prevent the supreme act of justice from being profaned by disorderly conduct and disgraceful scandals that are unworthy of any civilized people.⁹³

For Louis Arnold, in principle, social mores permitted the existence of executions, but rejected their public display. The measure of “civilization” and “civilized people” was therefore not laxer punishments, but the concealment of punishments to avoid popular outrage. Immediately after Troppmann’s execution, the deputy François-Frédéric Steenackers filed a legislative bill—the first in a long series—calling for an end to publicity. This bill would be the touchstone for many subsequent articles. A little more than two weeks after the execution in Valence of Guillaume Bayon, who was significantly less notorious than Troppmann, *Le Petit journal*, which had covered the execution in depth, published a feature titled “La foule et l’échafaud.” In it, the paper mentioned both Lucas’s petition and Steenacker’s bill, lamenting the presence of large crowds at executions, and the presence of women in particular. Presenting its own opinion, the newspaper described that in the Senate:

People had lamented at length the bloodthirstiness that came upon women and children, as well as men, at the exact moment when the convict’s head was separated from his body by the guillotine’s blade. (...) Many have condemned the sinister pleasure that so many derive from viewing a criminal in his final throes, the last moments of terror before atonement.⁹⁴

In 1889 Georges Kaps’s execution—which *Le Petit journal* described as “banal” and “not much talked about”⁹⁵—took place in Paris at the same time that the Bardoux bill was sent to the Chamber of Deputies. This prompted *Le Cri* to deplore the publicity requirement. One week after Kaps’s execution, the newspaper ran an article titled “Public Executions” that was highly skeptical regarding the Chamber’s willingness to abandon the exemplarity of public executions:

Will the majority of the Chamber let itself be guided by a sort of sensitivity towards the poor soul who is about to become scalpel meat, and thus decide that his final moments should take place behind closed doors, in order to spare him the devastating emotions of his first—and final—performance? We do not think so.⁹⁶

Calling for police reinforcements in order to prevent crime, the article concluded by more or less ironically urging the authorities to build a six-meter-high (more than nineteen-feet) scaffold and hold executions in public at high noon.

Executions and legislative proposals coincided again in 1886, when in May the deputy Emile Jamais published a report in favor of adopting the Bardoux bill, and in June, Léon Jean's execution took place in front of an agitated crowd:

First of all, it is impossible to overlook the attitude of a certain number of spectators, whose loud and inappropriate gaiety took the form of songs, animal sounds, gibes, and whistling. These scandalous incidents naturally lead us to wish for the Senate's prompt ratification and application of the bill regarding the elimination of executionary publicity.⁹⁷

The crowd's attitude was not the only scandalous element: due to a mistake on the executioner's part, the dead man's severed head missed the basket and fell to the ground. Although reprehensible moments such as these did not necessarily transpire before an execution, chronologically speaking, they were mentioned first because they attracted the most attention. The common thread running through executions was now the scandals surrounding them—a problem that became so important that the Chamber of Deputies began to address it. Two weeks after the execution of Léon Jean, *Le Petit* journal ran an article titled "Capital Punishment" that dealt primarily with the question of executionary publicity, rather than the death penalty itself. The article called for an end to legal publicity, quoting long excerpts from the Jamais report of May 31, 1886. As the last execution to be etched in the public's mind, Jean's death illustrated all the reasons to prohibit publicity. The newspaper described the reasons that had driven a number of other countries to eliminate executionary publicity:

Because they understood the associated danger. Either executions are a painful sight, a horrible event, a mistake made by the executioner or a struggle between him and the condemned man unduly prolonging the process and stripping justice of its greatness. Or, more often executions are cause for scandal and the public's demoralization, especially as the latter is largely composed of delinquents and the lower classes.⁹⁸

A turbulent execution once again coincided with a debate in the Chamber of Deputies in 1898: the Strauss bill calling for the elimination of publicity was filed at the beginning of July, just a few days after the execution of Justin Priolet. The Senate would in fact adopt the Strauss bill in December of the same year. A long article on the front page of *Le Petit* journal was inspired by both events; in it, the editor Félix Duquesnel expressed support for the parliamentary proposal, worrying that the sight of blood flowing in public might make spectators "see red." As for executions themselves: "The hideous scenes that almost always accompany executions, and the cynicism of the leering crowd, driven by morbid curiosity, can only lead to hardness, cruelty and perversion."⁹⁹

The last public execution—Weidmann's in Versailles—is often said to have prompted the ban on publicity, on account of its delays and scandals, as well as the numerous illegal photographs taken during the event. This hypothesis was put forth by Albert Camus, according to whom the ban on executionary publicity was due to the publication in *Paris-Soir* of a full page of photographs taken at Weidmann's execution, which had brutally reminded the public of the guillotine's existence.¹⁰⁰ The presence of photographers on-site was confirmed by *Le Petit* journal, which also mentioned that these professionals "were operating despite being banned ... flashes of magnesium periodically appearing out of nowhere and lighting up the Place Louis-Barthou."¹⁰¹ In reality, however, Weidmann's execution did not generate a lot of criticism while it was occurring.¹⁰² Out of the eleven newspapers we consulted, only *L'Intransigeant* devoted a whole article to criticizing the crowd's behavior. It described a sort of village fair with music, tuxedoed men "afraid of missing the spectacle" and many women who had already been seen in attendance at the trial.¹⁰³ But other newspapers did not focus excessively on the crowd, thus demonstrating that Weidmann's execution was not exceptional, nor was it a determining factor for

the elimination of publicity. No ban on publicity was expected in the near future, and the issue had ceased to interest the media. When the decree establishing the ban was published on June 24, 1939, the press did not pay much attention. Only *Le Matin* published the following:

(...) is honored to have been pretty much the only newspaper to call for an end to the ignominious spectacle that took place in Versailles, during the most recent execution. It shall come as no surprise to our readers that we are pleased to see that our demands have been met. (...)

From now on, the guillotine shall operate inside prison walls, in front of only the required magistrates, civil servants, and religious figures. We shall no longer see photographers and women in the front row; we shall no longer hear the yelling of the crowd or the lawyer's final remarks; we shall no longer be on the lookout for the executioner's mistakes and the convict's last breath. Some journalists will lose out. Public morality and decency shall triumph.¹⁰⁴

Although the newspaper claimed some agency with regard to the decree eliminating executionary publicity, it had in fact not criticized any particular incidents or mentioned any "ignominious spectacles" that occurred during Weidmann's execution, except to observe some whistling from the crowd. Perhaps the execution's ambience had been particularly heavy, especially due to the presence of photographers, and was thus seen as problematic—but this was not an observation that had been explicitly made by the paper at the time. Or perhaps retrospective criticism of Weidmann's execution functioned as a sort of outcome of the traits shared by all the previous executions. Ultimately, the indecency criticized by the newspaper had as much to do with popular scandals surrounding the death penalty as it did with executions themselves.

Executionary narratives did not exist in a vacuum and were not merely administrative reports, even if they could seem quite dry at times. They sought both to describe executions and to provide an interpretative framework. They thus entailed criticism of the crowd's behavior and condemnation of the public nature of executions. These additional narrative elements only existed because the media were competing with the authorities for control over executionary

publicity.

In fact, journalists advocated for the disappearance of legal publicity, in the hopes that the press would then obtain a publicity monopoly once executions moved behind prison walls. Executionary narratives thus sought to compete with visual publicity in particular, at a time when the authorities were increasingly attempting to limit visual access to executions. Press narratives were therefore used as tools to challenge the existing forms of publicity. The challenge to legal publicity did not stem from any sort of humanitarianism—even if the latter was sometimes touted as a reason—as the death penalty was never truly contested (except by a handful of radical newspapers). When the press challenged the legal provisions of executionary publicity, it did so essentially to promote its own coverage as the sole form of publicity.

Consequently, what played out in the parallel boom of the tabloid press and the weakening of the traditional publicity regime was the media's attempt to delegitimize any form of publicity that it did not control, or with which it would have to compete. All of the elements that composed the traditional publicity regime were rejected. The press proposed a number of replacements to establish a form of publicity that would be more appropriate for contemporary sensibilities. Invisible executions, as advocated for by the authorities, could be mastered and accounted for by the press. The unmanageable crowds in attendance could be transformed into a broader public that calmly read executionary accounts at home. The publicity regime recommended by the press was in many ways similar to the authorities' legal and political ideal: complete mastery over executions from beginning to end, while distributing the necessary information to the greatest number of people.

The fact that the press did not merely challenge the existing publicity regime but also sought to replace it demonstrated the possibility of an objective alliance between the press and the authorities in order to remedy the existing executionary disorder. By stating that it could be responsible for executionary publicity in a dispassionate manner, behind prison walls, the press allowed the authorities to guarantee that publicity would continue to exist, albeit under a different guise. In this respect, the press can be seen as one of the most influential actors in challenging the traditional publicity regime, and a key reason that executions were moved behind prison walls after 1939. Moreover, the press insisted on its ability to replace spectators in general. It asserted its burgeoning ability to act as the people's eyes and ears during executions and thus

to inform public opinion. The press hoped to be the sole actor in the normative and deliberative public sphere to enter into dialogue with legislative authorities. Journalists thus sought to replace the immediacy of the public's gaze—which formed the foundation of legal publicity—with media coverage, in which they would play a crucial role. Journalists ordered the judiciary to choose between the highly restricted presence of reporters and the troubling presence of public crowds. But the media had a second objective: with its executionary narratives, it hoped to lay the groundwork for what could become an alternative form of publicity. Objective narratives allowed for the description of executions from a multitude of viewpoints, which legal publicity had made rather difficult: they let readers believe that journalists were not producing subjective accounts, but instead describing executions as they had really happened, without any third-party distortion or intervention. The desire to replace legal publicity with press coverage was therefore expressed in every executionary account, through statements that the medium did not adulterate what was seen and that what was reported corresponded to reality.

Executionary accounts were thus neither neutral nor purely narrative, and they were designed to highlight the problems of the existing publicity regime. They also served to hint at what executionary publicity could resemble under a regime governed by journalistic coverage. The press created a chink in the armor of executionary publicity, part of the backdrop of shattered social representations of executionary publicity. Some of these representations sought to legitimize publicity and allow their institutionalization, thus contradicting the idea that the death penalty and executions were historical accidents.

CHAPTER 2

Conservative Representations of Executions

The historical triumph of the abolition of the death penalty over the conservative movement that wished to maintain the practice in France has led many scholars to analyze the desire to preserve the death penalty as a form of resistance to change—albeit one that was ultimately overcome. Consequently, the conservative movement, its actors, rhetoric, and representations have rarely been the subject of systematic analysis. Despite being deeply committed to preserving both the death penalty and the pomp and circumstance of public executions, the retentionist movement—by its nature a highly conservative endeavor—was not the final obstacle to so-called modernity. On the contrary, retentionism was the opponent of abolitionism, of the “humanitarianism” of the philanthropic movement. Historically, it was above all a discourse that succeeded in maintaining executionary publicity until 1939, and the death penalty until 1981, thus prohibiting any change in punitive technology. The retentionist camp was thus characterized by a kind of insensitivity to the death penalty and by the championing of its associated violence. For a long time, its presence influenced the republican government’s decision to maintain executionary publicity. In particular, the weight of conservative rhetoric reveals that when looking at a period of several decades, society does not necessarily move toward a sustained reduction in violence. Cross-analyzing the content and influence of conservative representations of the death penalty in fact nuances the assumption that methods of punishment were gradually tempered over the years. The preservation of executionary publicity demonstrates that while the civilizing process appears to be linear, it was nonetheless buffeted by a number of headwinds.

The death penalty and its publicity were only maintained in place because they corresponded to the era’s numbness to violence, which also hindered any attempts to reform criminal law. Executionary publicity was legally preserved because the demand for exemplarity had become a political necessity: conservative circles feared that the exclusive use of prison sentences would

undermine the government's authority, forcing it to give up the spectacular nature of the death penalty. Proponents of the death penalty were nostalgic for the "strong" regimes that had existed before the Republic, and associated eliminating publicity with abandoning the fight against crime. In opposition to Republican and humanitarian sentiment, the retentionist movement called for the preservation of public punishment and championed social defense via the strengthening of criminal law, even through recourse to corporal punishment if necessary. The executionary spectacle was thus diverted from its primary purpose and became the focal point for insensitivity to punishment—an insensitivity that was infused with brutality and transformed public executions into opportunities for challenging oneself emotionally. In fact, it was not just spectators who were asked to put on a brave face: it was expected that the condemned would also be courageous and accept their fate "like men," without faltering. The regime's obligation to provide "a respectable [public] death" in turn implied the possibility of a visibly horrible death, where the violence of the death penalty would be revealed in all its glory. The possibility of a terrible spectacle thus became a threat to executionary publicity.

The Demand for Exemplarity and Attempts to Delegitimize the Regime

The obstacles facing death-penalty reform were part and parcel of the broader difficulties faced by the regime in its attempts to reform the Criminal Code. Compared to the years 1833–1876, only half as many penal laws were passed between 1877 and 1940.¹ The economic and civic morality sectors were those that witnessed the creation of the greatest new criminal infractions, thus revealing a certain legislative disinvestment in criminal matters.² The issue of social defense against crime remained quite topical, however. Advocates called for maintaining executionary publicity, which served to periodically exemplify the government's fight against crime. In general, the publicity of punishment fulfilled this function of reassurance better than prison sentences and other custodial sanctions, which did not have the same power of exemplarity. The latter were invisible forms of punishment, and thus ineffective from a conservative point of view. If the death penalty and executionary publicity were preserved, it was because they guaranteed such exemplarity, which was deemed

to be more important than the act of justice itself. And if this exemplarity was not sufficient, or if the death penalty could not always be applied everywhere, the retentionist movement championed the use of corporal punishment. Ultimately, proponents of the death penalty did not wish to see executionary publicity disappear and they called for maintaining an exemplary form of punishment, seen as the final bulwark of a Republican regime deemed to be inherently weak.

The Plan to Restore the Use of Corporal Punishment and the Whip

Less than two months before the start of the 1908 debate in the Chamber of Deputies on the abolition of the death penalty, *L'Éclair* launched an investigation called "Whipping the Apache Gangsters."³ The newspaper consulted several prominent figures of the time and recorded their opinions on the plan to restore the use of the whip as a deterrent to crime. The newspaper's approach to this topic revealed a large degree of familiarity with whipping as a form of punishment, perhaps to an extent even greater than anticipated. From a hierarchical perspective, placing the death penalty at the top of the punishment scale made other, less painful forms of punishments acceptable at the lower rungs. Attempts were thus made to reinvent an intermediate level of punishment between the death penalty and mere imprisonment that would be as effective as capital punishment but more visible than incarceration.

According to Emile Cheysson, a member of the Institut de France, whipping was not appropriate, as it was a form of punishment that was no longer a part of the contemporary mores and now consequently belonged in a "museum of antiquities." Nonetheless, the Apache gang remained a scourge triggered by its social environment: "Mushrooms are the logical product of visible or underlying manure. Likewise, Apache gangsters are not an accident: they are a result. An environment gets the gangsters it deserves."⁴ But for Senator Bérenger, the danger of legally reintroducing the whip was very real: "This marks the beginning of torture."⁵ Far from making such reflections, the majority of the people interviewed by the newspapers saw no harm in returning to corporal punishment. Henri Joly, a criminal lawyer who supported solitary confinement and penal colonies for repeat offenders, and a moderate defender of the death

penalty,⁶ stated that he also supported “flagellating the Apache gangsters.” He argued that one could not cite their inherent dignity in objection, as “they do not have any.”⁷ Similarly, the famous lawyer Ambroise Rendu argued that it was precisely because the whip was “humiliating” that it might awaken the gangsters’ sense of pride and incite them to mend their ways.⁸ Albert Rivière, the secretary-general of the Société générale des prisons, preferred relegation or lengthy prison sentences, but also said: “I see no disadvantage to administering vigorous punishment to our Apaches with the cat-o’-nine-tails or another kind of instrument likely to intimidate them.”⁹ What mattered was the certainty of punishment, a reminder that the law existed. Jacques Bertillon, the director of the Paris Statistical Office, established a hierarchy between the whip and the death penalty.¹⁰ Apaches “are only affected by corporal punishment. So let us punish them without shame! Let us whip them! If need be, let us use the knout! Whipping is the most economical, rapid and effective means!” But were a certain gangster to become a repeat offender and be deemed “incorrigible,” Bertillon took refuge behind the argument of social defense to support the death penalty: “I believe that there is no reason to preserve the life of a useless scoundrel who represents a burden, an expense and a danger for society. It’s very simple: his head must be chopped off. Not out of vengeance, but simply as a defensive move: he must be eliminated, that’s all.”¹¹

The interviews conducted by L’Éclair were in fact a sort of press campaign, designed to capitalize on hostility that had been provoked by the pardoning of Albert Soleilland a few months earlier and to influence the upcoming legislative debate. By attempting to legitimize the use of the whip, a humiliating form of corporal punishment, this campaign allowed the retentionist movement to express its views and posit that a Republican regime was not incompatible with tough sentences. The insensitivity of death penalty supporters to the whip and their belief in harsher punishments were just as much due to an imagined need to restrain potentially dangerous criminals as to the preservation of an instrumental relationship to violence and suffering at the heart of the Republican regime.

In his important work on the death penalty, Alexandre Lacassagne devoted several pages to the reintroduction of corporal punishment, which he envisioned as a complement to the death penalty. For “rationally, the death penalty seems necessary, since the fear of physical punishment is the only thing that affects amoral individuals; ... because the States where corporal punishment exists have seen decreases in violent crime.”¹² As long as the current social mores did not permit abolishing the death penalty, corporal punishment—and especially the

whip—should represent more easily applicable forms of punishment that would have an immediate effect on young delinquents. Dr. Legrand, a colleague of Lacassagne's at the Archives de l'anthropologie criminelle (Archives of Criminal Anthropology), continued by consulting the accounts of criminals sent to penal colonies, who were the first to point out the weakness of enforcement and argue that corporal punishment would be an effective means of controlling them. The author therefore concluded that "even if corporal punishment only served to remind them just how low they had sunk, it would still be useful; and arguing that it would forever prevent the reform of those who can still be reformed is completely illogical and does not stand up to observation."¹³ According to Dr. Max-Albert Legrand, there was a disconnect between the public's attack on the conservative position, which tarred supporters of the death penalty as reactionaries, and its strong attachment to corporal punishment, as revealed through secret ballots on the issue.

One of Lacassagne's detractors, Dr. P.-L. Ladame, expressed surprise that the whip was envisioned as a modern solution. "Is this truly the model that modern criminal science must follow? Must we return to the cruel and barbaric practices of the past, which belonged to inferior civilizations?" he mused in the *Revue pénale suisse*,¹⁴ at the time when Switzerland was gearing up to debate the death penalty and closely examining the situation in France.

While it remains difficult to measure the precise influence of these various statements, it is certain that the movement instigated by Soleilland's pardon continued long after the 1908 debate on abolition and that the discussion on the matter was regularly reopened. In any case, potential social demand was expressed by several scientific publications that supported a return to corporal punishment. The writings of Dr. Lejeune and Dr. Hippolyte Laurent were those that reached the widest audiences. Published in 1910, Dr. Lejeune's book *Faut-il fouetter les Apaches?* reveals that although insensitivity to the pain of others was still present, it was not necessarily the predominant attitude. This volume was virulent in its stance against the Apache gangs, but it nevertheless remained very cautious with regard to the use of the whip. According to Lejeune, the Apache gangsters embodied a new generation of urban criminals who rejected the value of hard work. From this perspective, the whip became a social rather than a criminal punishment. In fact:

Apaches are essentially healthy, able-bodied individuals who exercise no acceptable trade, but instead live off of others by committing the crimes necessary to ensure their survival as best as possible.¹⁵ [They are] necessarily degenerates, a regressive product of human activity, a kind of man directly opposed to the perfectible instinct for sociability that forms the basis of our modern civilization.¹⁶

The intended goal of reincorporating the whip was thus not only to punish the gangsters for the crimes they had committed but also to correct their lack of sociability and their voluntary self-marginalization. Lejeune's callousness is not absolute, however: what he advocates for was based on a new economics of suffering. It was no longer a question of inflicting increasingly greater amounts of pain up to the point of death. The prevalent attitude—as well as the law—would have prohibited returning to the penal system of the *ancien régime* in such a fashion. As a result, when convicts were whipped, it was not to inflict great suffering, but merely an unpleasant punishment. It was therefore not necessary to publicize whippings: that the criminals felt the whip mattered more than the certainty of punishment.

The details that Lejeune provides illustrate the limits of pro-death-penalty insensitivity in a universe where the former was a priori condemned. He indirectly describes a new regime of pain. Flagellation was not supposed to engender “death by excessive suffering, or the breaking of bones, or even deep lacerations of the skin.”¹⁷ Whipping was only skin-deep. Serious injuries were not to be inflicted: the whip was not to strike the face, stomach, or abdomen, or the limbs, except “the calf muscles and the fleshy part of the thighs.”¹⁸ If Lejeune makes so many exceptions to the use of the whip or the rod, this is because the body of the condemned man had largely become an untouchable canvas, and it had become unthinkable to strike the most sensitive parts or those that would be too easily injured. The space of corporal punishment was thus limited to the back and the buttocks (Lejeune refers to the “lumbar masses”).¹⁹ Once again, in contrast to the punishments meted out under the *ancien régime*—the wheel in particular, which required the criminal to be stripped naked—now any kind of exposition was to be shunned,²⁰ even if the punishment was not delivered publicly, and the convict remained clothed throughout. Although Lejeune's book seems to argue for restoring a form of penal violence, the author's repugnance and self-imposed limits are very strongly expressed as soon

as punitive action veers toward excessive violence or has physical consequences. We would thus be mistaken if we were to consider Lejeune's approach as anything more than an imaginary project, motivated by a lingering but reluctant desire to return to more intimidating and violent forms of punishment. Although the movement to preserve the death penalty would still fight on, the hopes of returning to corporal punishment had thus been dashed.

The desire to restore corporal punishment petered out after the First World War, but in his law thesis titled *Les châtiments corporels*, published in 1913, Hippolyte Laurent focused on the notion of permanent conflict within society, which he attributed to class struggle. Class warfare perpetuated a high level of violence, which according to Laurent was visible in the clashes between protesters and police and in the violence inflicted by strikers on those not participating in a strike. The use of these forms of violence illustrated a "subconscious tendency" to maintain corporal punishment, regardless of what the law stipulated. Like Lacassagne, who was in fact a member of Laurent's thesis committee, Laurent suggested taking this violence into account in once again granting the law the ability to punish the body. If what he calls "interpersonal" violence still persisted, there was no particular reason for the judicial system to abolish "blood punishments."²¹ Laurent, like an English schoolmaster who was allowed to whip his pupils, argued that corporal punishment should be reinstated for criminals to foster greater obedience. But Laurent likewise implied that for very important criminals, punishment could be increased. He suggested going as far as "corporal punishments that, while they do not cause death, eliminate an individual's ability to reproduce"—in other words, castration and sterilization. The following year, he published a monograph on the topic of whipping, which he viewed as an appropriate punishment for a new type of delinquency whose less serious nature did not necessarily call for incarceration.

I believe that between the law of full pardon and the serious option of incarceration, there is room for an intermediate measure, for a form of punishment that is administered instantaneously and will not separate a delinquent from his usual life, but which, by making him suffer and experience shame, will forcibly push him toward reflection and repentance.²²

Laurent echoes the era's general attitude, according to which the punishment of whipping implicitly belonged less to the realm of criminal punishment than to that of good behavior, acting as a way to educate the Apache gangsters and reintegrate them within society. He also echoes Dr. Lejeune with regard to the limited range of pain he deems acceptable. The pain caused by whipping must not become a "cruel caning," although "great suffering, as long as it does not harm an individual's health and life, is often more salutary to criminals than an excess of gentleness."²³ Ultimately, the whip became "a harmless and beneficial weapon of reformative justice,"²⁴ just another form of punishment designed to better individuals.

In the end, the whip would not be reincorporated into the French punitive arsenal, but the lively debate that the matter provoked illustrates the public's doubts regarding whether incarceration was an adequate form of punishment that exhibited the same degree of effectiveness and exemplarity that had long been associated with the death penalty. The fact that some individuals wished to restore corporal punishment and the use of the whip reveals a specific set of social mores, according to which the possibility of a return to public punitive violence was not considered unacceptable. A certain callousness regarding the suffering of others, especially if, like criminals, they appeared to be both naturally and socially marginalized, provided the anti-repeal movement with ample fodder for arguing in favor of maintaining the death penalty. It thus became possible to hypothesize that feelings were not divisible. It was not specific objects that determined a particular feeling each time, but a form of social sensibility that uniformly applied to all sorts of different objects. Something like an "emotional repertoire" that was specific to each era and each society, and which dictated the range of what it was possible and not possible to feel.²⁵ As contemporary Frenchmen approached both matters with the same sensibilities, the presence of this emotional repertoire allows us to simultaneously examine the death penalty and other forms of non-lethal punishment. These same sensibilities conditioned the demand for exemplarity and the return to corporal punishment; they also denied the violence of the death penalty, and had no objection to subjecting the criminal body to whipping or even more painful forms of corporal punishment. This was likewise the case in 1907 with Soleilland, an affair that was politicized by the retentionist camp to criticize the Republican regime's supposed weakness, thus ensuring the triumphant visibility of the death penalty.

The People's Thirst for the Guillotine in the Wake of the Soleilland Affair

In 1907 the Soleilland case did not come to an end with the execution of its eponymous protagonist. Instead, the presidential pardon that the latter received paradoxically led to a major victory for the pro-death-penalty camp. In fact, the proposal to abolish the death penalty expressed during the 1908 parliamentary discussions was ultimately rejected. Albert Soleilland, an errand boy for a furniture dealer, raped and murdered his neighbor on Rue de Charonne in Paris, little eleven-year-old Marthe Erbelding. Quickly arrested and then sentenced to death on July 24, 1907, Soleilland was then pardoned by President Armand Fallières on September 13 and transported to the Île de Ré, where he would die thirteen years later.²⁶ Both Soleilland's crime and his subsequent pardon prompted a level of political and media fervor that had not been seen since the Troppmann affair. For a number of actors, this was an opportunity to challenge the abolitionist bill filed on November 5, 1906, by Minister of Justice Guyot-Dessaigne, which had the support of the council president, Clemenceau, and President Fallières (all three of whom were fervent abolitionists). Since the proposal was rejected by the Chamber of Deputies on December 8, 1908, this pro-death-penalty offensive ultimately succeeded in closing a chapter on the death penalty debate for quite a long time.

Soleilland's pardon transformed a criminal case into a large-scale political affair. Actors in various spheres (legislation, the media, the sciences) pounced on the occasion to steer the previously legal debate toward a political crisis. The Soleilland case did not ultimately deteriorate into a political crisis, it nonetheless marked the convergence of a number of strong voices criticizing the Republican regime for its perceived softness on crime. It likewise embodied a moment of protest regarding a political practice that involved two major institutions: the death penalty, on the one hand (whose legality the conservative offensive fought to maintain), and the presidency, on the other hand. The presidency was criticized for possessing excessive pardoning power, judged as abusive and capable of de facto abolishing the death penalty. This power legitimized the presidency as the head of the executive branch, which had not long been self-evident (the office of president would take quite a while to become established during the Third Republic). In practice, however, it was the regime as a whole that was violently condemned via the presidency for being in the hands of usurpers and having replaced traditional Catholic values with humanitarian

notions that were dangerous to society. To deal with the Fallières presidency, which had pardoned all those on death row for more than a year and was thus seen as being stripped of its authority and virility, many voices advocated for the return of public executions.

By admitting its fear of executions, the humanitarian Republic was accused of allowing crime to flourish. Many newspapers criticized the message sent by Soleilland's pardon to other criminals. According to these, the guillotine's de facto disappearance would automatically lead to an increase in crime. The 1906 abolitionist project and Soleilland's pardon were denounced for stripping the regime of a valuable punitive instrument, thus leaving society vulnerable to waves of criminal violence. The fear of budding Apache cities resurfaced, as if the streets were suddenly crawling with freed Soleillands. "Henceforth Paris—the Paris of the parks, Paris of the streets—belongs to flashers and apaches," *Le Matin* quoted several women as saying.²⁷ The desire for abolition was interpreted not as a sign of the regime's progress, but of its abdication, precisely at the moment when the issue of crime was at an all-time high. The convergent timing of general hostility to the regime with concerns regarding crime, which were amply fanned, allowed the Soleilland case to succinctly express the authorities' absence or at the very least, lack of actionable power. It was then easy to establish a connection between the regime's Republicanism, its anticlericalism, and the rise of crime. That was the equation posited by *La Libre parole*: "Godless schooling throws generations of Apache gangsters onto the streets. The abolition of the death penalty transforms them into assassins."²⁸ Pardons were seen as proof of the decadence of a regime based on the rejection of religion, with regard to both education and the expiation of criminals condemned to death, without providing any visible substitutes for these traditional values.

Unsympathetic to Soleilland's pardon, the press depicted the popular classes as full of common sense, the latter trampled—and perhaps even jeopardized, according to Albert O. Hirschman—by President Fallières' actions. In the context of the Soleilland case, the common people were represented in various ways. *Le Petit Parisien* had the people speak under the guise of a "referendum" that it offered to its readers regarding the abolition of the death penalty. According to Julie Le Quang Sang, by consulting its broad readership, the newspaper launched a veritable "press campaign" whose goal was clearly to influence the potential act of legislative abolition looming on the horizon.²⁹ Leaning to the center-left politically, the newspaper's tone was quite different from that employed by the reactionary press, but its editors nonetheless found all

facets of the radical program condemnable, including the issue of the death penalty; likewise, the alleged rise in crime worried this paper's readers as much as it did any other papers' readers. Jean Dupuy, the newspaper's director, a Freemason and a senator, was elected several times as a minister: he was also a political enemy of President Fallières, whom he sought to attack using his paper's press campaigns. The public debate and the referendum aligned perfectly with the timing of the Soleilland affair. The pro-death-penalty mobilization began in February 1907, shortly after Soleilland's crime and arrest, and culminated in the reader poll between September and November 1907 (just a few days after the assassin's sentence was commuted). In the end, the result of the referendum on the death penalty spelled a victory for the retentionist camp and significantly influenced the 1908 debate in the Chamber.³⁰

Another kind of public intervention consisted of newspapers covering the protest attempts that unfolded in Paris right after Soleilland's pardon, giving a voice to members of the lower classes so that they could explain what they thought about the pardon and President Fallières himself. The people interviewed demanded revenge and called for the murder of Soleilland and even Fallières. In fact, the morning after Soleilland's pardon was announced, several neighbors of the Erbelding family in the Parisian neighborhood of Popincourt declared their intention to express their anger by inciting protests. The press, likewise hostile to the pardon, then tried to report that the protests had generally been a success, and that a popular uprising had erupted. According to *La Gazette de France*, which covered the protests on the third page, the demonstrations had drawn between two thousand and three thousand protestors who walked toward the Ministry of Justice, yelling "Death to Soleilland! The guillotine!" and "Down with Fallières! Boo to Fallières! Resign!" Protestors then charged at the police on the Rue Cambon, the Rue de la Paix, and the Avenue de l'Opéra until nightfall.³¹ According to *L'Intransigeant*, the protests were rather turbulent. Lépine, the police commissioner, was cheered on, as was Henri Rochefort, the newspaper's founder, but many also called for Fallières's resignation. The paper's headline read: "Against the pardon. The people rise up."³² The editors of *La Liberté* had the whole country speak out: "All of France shares the capital's feelings regarding this inexplicable pardon."³³ The paper's explicit targets were both the pardon itself, a phenomenon that it hoped would not be repeated, and the abolitionist bill that would shortly thereafter be discussed in the Chamber. The deputies would no longer be able to oppose "such strong public opinion." "There is thus no question that the project of the Clemenceau cabinet regarding the elimination of the death penalty will find its match in the Palais Bourbon," the

article continued. And yet L'Humanité described an “aborted protest,” fomented by the media and composed of curious individuals who had come to see if a demonstration would take place—but not of actual protestors.³⁴ According to La Petite République, the voice of the Republican Left, the event only attracted a thousand spectators, who paraded by in a “colorful” procession of mothers, wives, old men, and “those shady individuals that can always be found in a crowd.”³⁵ The popular uprising that had been anticipated did not ultimately take place, but newspapers that were hostile to the authorities used their pages to express the people’s anger.

Alongside the much-maligned Human Rights League, which had become “a trade union for assassins,” Guy de Cassagnac proposed founding a League of Children’s Rights, for the poor “children of the popolo” (working class) who had been sold to the perverts.³⁶ The people had to be protected from abuses of power, and rise up against a presidential institution that had abandoned them. When the newspaper editors descended onto Rue de Charonne and Paris’s working-class neighborhoods, they observed: “Never, in our experience as journalists, have we seen such indignation, never has a presidential pardon been so poorly received. ... The cafés are thronged, large groups of people are congregating around gaslights.”³⁷

The retentionist movement exploited the threat of crime and the consequences of Soleilland’s pardon, thus leading a large part of the press as well as other actors hostile to the regime to mobilize all the arguments that could delegitimize pardons, the presidential institution, and the Republic as a whole. This mobilization, which could have tipped over into a more serious political crisis, went beyond the mere question of the death penalty: the Soleilland affair challenged the sovereignty of the Republican regime and asked whether this sovereignty was popular, parliamentary, or presidential. It also questioned the exorbitant means of action that the president could employ when dealing with the Chambers. The newspapers that were opposed to Fallières agreed that the presidency should remain a merely ceremonial role, without power over the Chambers, insofar as the very basis of the regime appeared debatable and its values dangerous. The debate surrounding the death penalty was in fact linked to attempts to reformulate the role of president. And the newspapers that were favorable to the regime (and the president) were not mistaken when they lamented the politicization of a judicial event. They worried about the causality established between a presidential pardon and production of additional crimes. And these editors applauded Fallières and the pardons commission for having

defied popular anger toward Soleilland and the guillotine's notorious violence. The president was likewise commended for having acted according to his conscience. The issue of the pardon, as a presidential decision, was fraught with hesitation regarding the expansion of presidential powers and a president who ultimately had not transcended his traditional role, having inherited a number of monarchical and imperial functions that allowed him to undo a judicial ruling.

The press campaign around the Soleilland case was directly linked to the failure of attempts to abolish the death penalty via legislation. The fact that the death penalty was preserved in the law was perhaps seen at the time as the victory of common sense over the humanitarian follies of the Republic, illustrating a period of widespread reaction.³⁸ And in fact, after several days of debate in the Chamber of Deputies, the abolition proposal tabled by Minister of Justice Guyot-Dessaigne, and then picked up by Briand following Guyot-Dessaigne's passing in December 1907, and in turn supported by Clemenceau, the president of the Council and the minister of the interior, and President Fallières himself, was rejected by 330 votes to 201.³⁹ The Chamber's abolitionist minority included all the Socialists, most of the Radical Socialists, a few representatives from the Radical Left and a handful of "left-wing [moderate] Republicans."⁴⁰ The pro-death-penalty majority was composed of the conservative and Catholic right wing, but also of members from the moderate, secular, and Republican center.⁴¹ Studies on the abolitionist failure generally agree that the radicals did not succeed in being as reformist as they had wished. The radicals had apparently been impressed by the pro-death-penalty campaign waged against them, and Clemenceau did not wish to give the impression that the country was not being steered securely.⁴² The failure of the abolitionist movement must be considered in relation to the Republic's shift to the (moderate) center, and Clemenceau's strong-armed repression against revolutionary syndicalism and antimilitary activists.⁴³ According to Le Quang Sang, the radicals were unable to effect reforms that guaranteed freedoms and they instead voted through a number of repressive laws.⁴⁴ Fundamentally, the radicals, like all partisan actors during the Third Republic, believed that it was inadvisable to abandon the death penalty as a technology of power, and thus left the penal system alone. This judicial conservatism was not solely a product of the retentionist movement: it was also the manifestation of a deeper political agreement made by all the political actors regarding the need to preserve a form of punishment that seemed to be a pillar of the regime—especially if the death penalty appeared to guarantee social order and keep crime at bay.

In general, we must also note a great attachment to the French way of putting to death, even a sort of chauvinism regarding the mode of execution. Every country presents its own mode of execution as being the best and the most humane, maligning the methods used by other countries that are deemed to be inhumane and barbarous. Such patriotic biases were historically illustrated by the refusal of several countries to import the guillotine, having judged this foreign punishment to be incomparably more violent than their own national methods. In Canada, in 1937 and 1954, two commissions refused to adopt the gas chamber or the electric chair as methods to replace hanging.⁴⁵ In England, during the eighteenth and nineteenth centuries, the bloody spectacle of the guillotine was viewed with horror; hanging was preferred, even if its method was said to cause more suffering.⁴⁶ Germany in the nineteenth century had no desire for a slow-acting guillotine that required the condemned individuals to lie down like animals or objects, and saw this as going against human dignity. For a long time, Germany continued to execute its criminals with an ax.⁴⁷ During the 1920s, the Saarland region also used the guillotine, and Anatole Deibler was invited to carry out an execution there in May 1923 because the German executioner was unable to travel. The president of the Saarland governmental commission assured a hesitant Deibler that “using this mode of punishment will have no effect on public opinion in Saarland because here, as in all the Rhineland provinces, the execution of criminals took place thanks to the guillotine.”⁴⁸ In France, meanwhile, the guillotine long preserved its reputation as being the most efficient form of execution. The last executioner operating in Algeria was likewise convinced of this fact. In his autobiography, Fernand Meyssonier thus wrote: “In my opinion, the guillotine offers the quickest and most humane death.”⁴⁹

This preference for national forms of punishment explains executionary longevity—if the form of punishment is not painful, then executions are acceptable; it also explains the difficulty of changing and/or importing new modes of execution—even if in France, the public closely followed the first experiments with execution by electrocution. In countries where multiple methods of execution exist simultaneously, such as the United States, it is interesting to note that historically speaking, the shift from one mode to another was accompanied by justifications based on humanity, and that each mode in turn resembled a vestige of what had once been considered cutting-edge technology. Many consider the most recently adopted method of execution, lethal injection (1977), to be the least violent and least painful means yet. Its medical dimension transforms death into a clinical act that makes the transition

from life to death as smooth as possible. However, lethal injections have now become the subject of controversy following several executions that took too long and caused individuals to visibly suffer.

The few studies that have been conducted on pain and executions nonetheless suggest a more problematic vision: many symptoms of suffering are visible to different degrees, even when individuals are supposed to feel almost nothing.⁵⁰ A humanist perspective, belief in the superiority of one's national mode of execution and modern medicalization all serve to deny the violence of executions. Precisely because their violence is denied, hidden from the public, not self-reflective, and ultimately absent from the public conscience, executions are acceptable in societies that otherwise condemn violence. An execution thus becomes a sort of magical operation in which the condemned individual is alive at the beginning of the ritual and dead at the end of it, without it being possible to identify the moment when he or she dies. And if this moment were to be glimpsed, all that would be seen is a process of death that is neither dreadful nor traumatizing.

Much like the Soleilland scandal, the failure of the abolitionist attempt went beyond partisan cleavages and illustrated the Republican desire to maintain the death penalty intact as a sort of secret weapon, precisely at the moment when a certain lack of empathy regarding the suffering of criminals saw the light of day.

Compartmentalization of the Civilizing Process and Insensitivity to Suffering

In the final section of *The Court Society*, Norbert Elias mentions the curious phenomenon of the emergence, within the closed world of the court, of a penchant for Romanticism and pastoral life, notably expressed in the court's poetic production. Elias established a tentative model according to which the existence of this kind of nostalgia was determined by the court's configuration of constant and pronounced self-control.⁵¹ For men of the court, rural life resembled a bucolic dream, a lost idyll far removed from contemporary constraints. For Elias, the presence of such ideas can be explained by the overall social group structure, which led in particular to the disappearance of the nobility's chivalrous

attributes. Consequently, the form of the constraints that weighed on individuals determined the extinction or development of certain desires and discursive figures. This is an important heuristic point because it allows us to avoid the pitfalls faced by intellectual historians, who are often criticized for being unable to explain the historical transition between one sensibility and another, or the dominance of a particular sensibility compared to its contemporary rivals. In particular, this allows us to establish contact between the state of social configurations, the status of power, and the form of sensibilities. Rather than objecting to the existence of an evolution of sensibilities, or only focusing on the goals of those in power, it is possible to consider these two dimensions simultaneously—in particular by positing that the form taken by power shapes sensibilities, permitting some and eliminating others. These sensibilities in turn play into the production of laws and political events, which they endow with meaning. Did courtiers thus dream of violent punishments, whose gradual disappearance they noted with worry, much like supporters of corporal punishment and the death penalty? And did their desire for the guillotine's exemplarity indicate the possible "toughening up" of the penal system and a general numbness to corporal violence?

Preserving the death penalty and its exemplary publicity cannot be seen as evidence of what Elias described as the breakdown of civilization (or more specifically as the breakdown of the constraints of civilization), nor as a general "decivilizing spurt,"⁵² where self-restraint as well as the processes of mutual identification gradually deteriorate, leading to increasingly frequent recourse to violence.⁵³ The civilizing process was not reversed, but it did not affect all social strata with the same intensity. As Stephen Mennell has observed,⁵⁴ the civilizing process is less a form of a progress than a tendency; that is, the relative processes of decivilization can affect specific groups and can occur concurrently with various phases of the civilizing process. Conservative representations of executions thus illustrated a kind of impermeability with regard to a specific subject, to decreasing public tolerance for violence and suffering.

Since the death penalty had never disappeared, it is difficult to argue that its preservation marked a step backward; the end of presidential pardons did illustrate the victory of the retentionist camp, however. It thus becomes possible to consider discussions on the reintroduction of corporal punishment as demonstrating worry vis-à-vis the alleged negligence of the central authorities and the dangers of a society that did not dispense adequate punishments. Such discussions can then be seen as a counterplan to humanitarianism and the march

of progress toward abolishing punishment and, eventually, the death penalty. This counterplan remained limited, however, as it had no true legislative depth and occupied a very specific niche in the global process. Even when confined within the pro-death-penalty camp, corporal violence was still marked by prevention efforts. More was at stake than just exalting the value of executionary violence: this violence had to be politicized in order to criticize the Republican regime. The pro-death-penalty offensive was situated at the center of what Abram de Swaan calls a process of “compartmentalization,”⁵⁵ a concept he uses to refer to a state’s recourse to violent means on a specific segment of its population and within a specific compartment of society, without this violence spilling over into other sectors or impeding the regime’s normal functioning. In this case, despite the persistence of representations that praised the value of executions, the civilizing process marched on, with only highly targeted and sporadic moments of “dyscivilization” that did not imply a general regression. To de Swaan’s approach, we may also add that if compartmentalization describes a form of violence or dyscivilization that does not affect the whole system, it can also work in the opposite direction, and contain such counteroffensives inside their own compartment. This was precisely what happened with proposals to reinstate corporal punishment, which struggled to obtain legislative legitimacy, but nonetheless remained visible proof of society’s insensitivity to violence during the Third Republic.

What the calls for reinstating harsher punishments revealed, however, was also a certain attachment to violence. Jean-Marc Berlière observed the great imaginative variety exhibited by citizens in designing hypothetical punishments for Soleilland before his trial. Suggestions included executing him by dropping him into a vat of boiling oil, by publicly crucifying him, by castrating him, by strangling him, by cutting him up into little pieces, by stoning him, by shooting him with a revolver, by quartering him, and by giving him up to a starving animal.⁵⁶ This inventory of punishments reveals just how much the people’s (verbal) violence had resurfaced with the Soleilland affair, and to what extent the execution dictated by the law seemed an overly neutral act that did not cause the condemned man to suffer enough. When the debate on reinstating corporal punishment and whipping began, such punishments were familiar. The penal system of the *ancien régime* included whipping, which was carried out at public intersections and not “in custody.”⁵⁷ The French Revolution eliminated the use of the whip, but this practice was preserved in England; public whipping was ultimately banned for women in 1817 (behind prison walls in 1820) and for men in 1862.⁵⁸ In metropolitan France, whipping was removed from the general penal

repertoire, but it continued to exist in several special realms. Instructions provided by the Ministry of the Interior on June 8, 1842, reminded citizens that the use of whips, rods, or rope was forbidden in juvenile detention centers. In schools, where whips, rods, and canes had traditionally been employed, the use of such corporal punishment was formally prohibited in school regulations on January 19, 1887.⁵⁹ Familiarly with the whip was still significant enough for the practice to seem acceptable, marking a halfway point between the death penalty—which was inapplicable in many cases—and more serious corporal punishments that modern norms had long prohibited. Such proximity also allowed the law to wield corporal punishment as a kind of warning along the dangerous road to the death penalty. The notion of visible punishment, which used the body as a target, had thus never completely disappeared from the larger discussion regarding crime and punishment. And attachment to executionary publicity was borne by these conservative representations of penal law and tenacious beliefs in the death penalty's exemplarity.

The retentionist movement thus exhibited a form of fascination with executions, seen as a kind of military ordeal that tested the mettle of both criminals and spectators, and as a “good death” glowingly presented by the authorities.

Executions and Brutalization

Conservative representations of executions transformed the executionary spectacle. Such representations depicted executions as a kind of military ordeal that, in a context of brutalization and glorification of the violence of war, provided an opportunity for spectators to observe the courage of the condemned criminals, as well as their own mettle while attending such a violent spectacle. During the second half of the nineteenth century, the public developed a “martial relationship” with executions, transforming the latter into a means to fortify one's senses and build resistance to the suffering of others—traits that were typical of the internalization of brutality. Executions became a test of courage that condemned criminals were asked to freely consent to and transform into a “good death” to prove their merit. Although executions generally created the conditions necessary for self-punishment, they were first and foremost designed to ensure that the spectacle depicted matched the government's rhetoric

regarding prompt and effective punishment.

The Diffusion of Military Values in Service of Executions

The notion of brutalization was developed by George Mosse to describe the relationship of otherwise peaceful societies to violence, in particular the violence of war. Brutalization is conditioned by “trivialization,” that is, the integration of military violence into daily life after the First World War. Trivialization was a phenomenon that cut “war down to size so that it would become commonplace instead of awesome and frightening.”⁶⁰ Mosse lists the elements of civilian life that had been contaminated by war and violence (bullet shells became paperweights, Iron Crosses became embroidery motifs, etc.) and had decisively encouraged the insidious incorporation of war and death via their derealization and integration into the quotidian. Once it had become a familiar element, war no longer needed to be exalted or glorified: it became always-already present. Mosse wrote: “The process of trivialization supported the Myth of the War Experience. The reality of war was transcended once more, not by absorbing it into a civic religion, but by making it mundane and reducing it to artifacts used or admired in daily life.”⁶¹ This persistent familiarity with the culture of war then allowed unobstructed progress to violent recourse, in particular extra-state violence. Consequently, the German Freikorps (Free Corps, or volunteer units) composed of demobilized soldiers continued fighting in the political realm against the Weimar Republic and contributed to this society’s brutalization. In this context, brutalization emerged through the eruption of physical violence—including murder—in an otherwise peaceful and democratic political landscape. It was marked by the depreciation of individual life, very strong hostility toward parliamentary politics, and a massive series of political assassinations.

The Freikorps were also at the heart of Norbert Elias’s study on the conditions leading to the rise of Nazism, *The Germans*. Although they were contemporaries, Mosse and Elias never cite each other; concepts clearly circulated between the two scholars, however. Without mentioning Elias by name and thus emphasizing his point, Mosse indicates that “some of what has been called the civilizing process was undone under such pressure” from the tensions of the First World War.⁶² Elias, moreover, used the notion of

brutalization, as it was essential to decivilizing phenomena. According to Elias, between 1918 and the rise of the Nazi Party, the Freikorps perpetuated between several hundred and more than one thousand political assassinations.⁶³ Elias attributed their existence to a “process of brutalization and dehumanization” that spanned many decades in German society.⁶⁴ A few lines farther down, he mentioned the collective forms of “barbarization” and “decivilization” produced by the decomposition of national consciousness. For Elias, “brutalization” is both a condition and manifestation of the integration, by the middle class in particular, of a military ethos that had originally belonged to the aristocracy: an ethos that championed virility, interpersonal violence—the duel, for example⁶⁵—and rejected Republican parliamentarism, seen as only sowing discord. Brutalization was made possible by the deterioration of external state constraints—that is, by a process of decivilization that witnessed the lowering of resistance to violent urges and the triumph of military values such as courage, obedience, loyalty, and discipline. In a context of brutalization, violence emerges as an acceptable option.

In his work on the First World War, Antoine Prost examines the existence of a specific form of brutalization unique to moments of armed combat.⁶⁶ He establishes a link between the brutalization of societies as described by Mosse, and the brutalization of individuals during wartime. Nonetheless, he questions the role of brutalization during the First World War. Brutalization still possessed limits, even when the violence of war was omnipresent. First, because the war was industrialized, there was little direct or hand-to-hand combat, and the greatest losses came from artillery combat. Second, the civilized taboos internalized during peacetime continued to exist during the war. Moreover, the circumstances necessary for killing were not constant, but depended on combat phases and circumstances. And finally, brutalization always butted up against the persistence of individual guilt, which military culture was never able to eliminate entirely. This possible culpability showed “deep respect for taboos, even within their transgression.”⁶⁷

Civilian culture did not completely disappear behind military culture. As a consequence, the idea that the brutalization of war survived well into peacetime must be played down somewhat. There is no absolute discontinuity between wartime and peacetime. On the contrary, one element of the First World War’s historiography, as deconstructed by Nicolas Mariot, suggests that war violence has been sanitized in historical studies.⁶⁸ Mariot notes that the main flaw of such monographs is that they work from the perspective of practices of war and infer

the existence of a culture of war. In reality, it would behoove us to understand how the culture of war can be a form of conditioning whose objective is precisely to create discontinuity between civilian culture and the new war culture that needs to be integrated in the lead-up to combat. Despite this conditioning, however, and the army's attempts to cultivate an ethos of war, Mariot disputes the existence of a war culture that would have been "contagious" for soldiers in 1914 and then again in 1940. Most veteran testimony does not allude to such bellicose fantasies; on the contrary it suggests that war was a job that had to be done, and done well.

And yet what we should investigate is how the soldier's "job" was assimilated into society. Here we see the extent to which the various approaches to this question were all mutually exclusive. For Mosse and Elias, the violence of war, and especially the extreme violence of the Second World War, could only be understood through its continuity with a culture of war that had been perpetuated during peacetime and had allowed Nazi soldiers and officers to select the "job" of executioner or soldier without any particular difficulty. In contrast, the approach adopted by Prost or Mariot tends to minimize the forms of brutalization during peacetime, instead highlighting the discontinuity between civilian culture and war culture during conflicts. They describe the "job" of being a soldier as merely a fleeting role discarded after use, and during whose performance each individual preserves his or her civilized ethos intact. These authors do not deny the existence of war culture, but do dispute the argument that wartime is long enough to internalize it and to overcome civilian resistance. However, if peacetime brutalization and wartime brutalization are in fact interconnected, negating the acquisition of a war ethos during wartime does not allow us to determine what peacetime brutalization becomes during wartime. The brutalization of peacetime would thus become a mere isolate, without any influence on either the eruption of war or soldiers' and officers' ability to kill. For Elias, however, one of the phases of the breakdown of civilization is expressed by the arrival of war.⁶⁹ For Mosse, it marks the culmination of brutalization during peacetime. The brutalization of peacetime as engendered by a war can in fact become the source of a subsequent war as well as the origin of a certain number of behaviors that belong to the military code of conduct.

With regard to executions specifically, a certain number of its representations and associated practices can only be explained through the existence of forms of brutalization, understood here as the presence of elements from the sphere of violence (both interpersonal and stemming from war) in realms that are not

immediately adjacent, such as daily life and political power. This in turn leads to excessive familiarity with violence and a tendency to turn to violence in interpersonal relationships or in the resolution of political problems. Positing the existence of brutalization thus amounts to identifying consistency in a society's relationship to violence. Forms of violence that appear to be unrelated—war and executions, for example—are in fact analyzed using the same tools and are governed by the same representations. Consequently, a certain type of relationship to executions illustrates the dissemination of military values throughout the judicial arena, thus determining its preservation in the law and its representation as an ordeal to be faced with courage. This relationship to executions does not condense all of a society's brutalization, but in fact highlights it. The goal is not to identify all the existing forms of brutalization in France, but to emphasize that the public's relationship to executions was influenced by the use of representations that borrowed imagery from the world of military violence.

As mentioned above, Norbert Elias ascribes the development of brutalization during the interwar period to the bourgeoisie's adoption of the values of the military aristocracy. The unification of Bismarck's empire and France's victory in 1870 occurred concomitantly with the integration of middle-class and bourgeois groups into the lower rungs of the aristocracy. Eric Dunning and Stephen Mennell observe that this phenomenon of upward social mobility can be explained by the desire of the middle class to differentiate itself from the working class by industrialization and urbanization.⁷⁰ The fraternal tendencies of the upper classes were accompanied by the top-down diffusion of the values of the military nobility. As a consequence, while the bourgeoisie was not particularly attached to the military ethos, it espoused it in solidarity and formed a kind of middle-class nationalism.⁷¹ The bourgeoisie adopted this vision of society founded on the respect of social hierarchy and the chain of command, obedience, the glorification of violence and the nation, respect for a code of honor, discipline and self-control, and ultimately, on all the traits that warriors possessed, even outside of wartime. This co-opting of violence in interpersonal relationships constitutes what Erik Neveu calls the "de facto suspension of the state's monopoly on legitimate violence,"⁷² which allowed violence to go beyond the traditional limits of the rule of law. Leo Strauss confirms that the distinguishing trait of German nihilism is its choice of the warrior as model, thus leading to the rejection of the principles of civilization for exclusively military values.⁷³ Militarism was thus still very present in the mind of the public, which had been scarred by two successive wars and the loss of countless human lives.

Echoes of an identical phenomenon are observable in France, where at the beginning of the Third Republic, Charles de Freycinet referred to the army as “the best social school,” following its reorganization thanks to the law of July 24, 1873 (military service had become obligatory the previous year).⁷⁴ Also in 1873, the first gymnastics and shooting clubs were founded, born out of the “shock of our disasters,” as one contemporary put it.⁷⁵ In 1882 the first school battalions were created; in 1889 three years of service became mandatory for the majority of an age bracket; and in 1893 a commission for military education was formed, working under the Ministry of Public Education and presided over by General Boulanger.⁷⁶ Despite the Left’s antimilitarism, the Republican petty bourgeoisie worshipped the army,⁷⁷ and the inevitable conflict with Germany was long hyped up and examined from every angle.⁷⁸ This warlike ethos completely determined how executions were perceived, and this encouraged general acceptance of the death penalty and showed the public how to behave.

What could be described as a “martial relationship” to executions was facilitated by the fact that since the Middle Ages, the executionary ritual had been a kind of military ceremony according to Michel Foucault.⁷⁹ This ceremony displayed numerous armed men surrounding the guillotine to prevent escape or the crowd’s intervention. But this seemingly military ceremony likewise required a military relationship of its spectators, executions being viewed as tests that assessed a given spectator’s level of courage and resistance to the brutal spectacle.

A Martial Relationship to Executions

In France, as in other European countries, executions attracted spectators because they were seen as ordeals that everyone had to endure at least once in their lives.⁸⁰ They were a test of courage that individuals took in front of others. Hence one was obligated to present an affect of virile insensitivity during the whole spectacle without ever losing an ounce of self-control.⁸¹ It was therefore not sadism that drew spectators, but primarily personal curiosity regarding one’s reaction to violence.

Part of the appeal of executions was that they were truly considered to be (spectator) events that had to be experienced at least once in order to gauge one’s

level of sensitivity. They were a way to measure one's virility, courage, and indifference in the face of death. This was a sport where individuals earned points for being insensitive to the suffering of others. It was also a unit of measurement regarding the internalization of brutalization. Attending an execution became a sort of training to become familiar with death—training that would come in handy during wartime. The more insurmountable violence seemed, the more self-control would have to be exerted, thus engendering greater and greater resistance to the suffering of others and gradually eliminating any form of identification with those who suffered. Executions were reduced to simply repeating violence on a smaller scale; this relativization helped to preserve the practice. Therefore, the public's martial relationship to executions meant that the practice had to continue and had to remain public. In addition, this martial rapport hinted at the silhouette of what could be a countervailing attitude held by the educated classes against the delegitimized attitude of the popular masses.⁸² Displaying indifference and control over their emotions, the upper classes established the standards regarding the appropriate behavior to exhibit during public executions. Viewed as an act of armed sovereignty, public executions were not designed to provoke scandalous outbursts but, on the contrary, to illustrate the great ability of spectators to remain impassible in the face of violence—a trait that in turn became a class marker.

The courage that upper classes demanded of themselves was in fact something that they also expected of the criminals about to be executed. Courage in the face of death was especially expected of the many convicts who were former conscripted soldiers, whom the wealthier classes hoped would go to the guillotine as they had gone to the front, without weakness or outward signs of emotion. For example, Sébastien-Joseph Billoir, executed in 1877, was a decorated veteran of the Franco-Prussian war.⁸³ Victor Prévost, executed in 1880, was a police officer when he committed his crimes, and had distinguished himself in 1870.⁸⁴ In addition to the numerous conscripts who had served in the First World War, other convicts had been soldiers at the time of their crimes. This was the case for Édouard Schumacher, executed in 1888, who was part of the 112th Bastia regiment,⁸⁵ and Joseph Grisard, executed in 1919.⁸⁶ Executionary ceremony was thus overlaid with past or present membership in the armed forces and the dissemination of military values throughout society, ultimately transforming executions into a rite of war in which individuals tested their mettle.

Public executions were thus an occasion for condemned criminals to prove their

valor, by recognizing the value of the test posed by their own execution. This was visible when condemned individuals explicitly referred to their military past and compared it to the ordeal of their looming execution. Eugène Meunier, for example, executed in 1891, cried out that a “good soldier” like him would not fear death. Witnesses at the scene affirmed that he possessed more composure than the entire audience.⁸⁷ Joseph Grisard declared that he was not afraid of death, for he had seen it “up close ... over there,” when he was a “humble soldier.”⁸⁸ But the martial relationship to execution also engendered the notion that courage was a virtue that had to be displayed by all condemned men, not just former soldiers. In an almost systematic fashion, commentators on executions noted the courage of those walking up to the scaffold. In many press articles, this observation took the shape of a ritual formula that remained unchanged over the course of several decades. Just after a condemned man woke up, the prison director would tell him that his pardon had been refused and would ask him to have courage. The condemned man would invariably respond by saying, “I will.”

The preservation of a martial relationship to executions thus implied that executions were “successful,” according to criteria that valued violence, if the condemned individuals preserved self-control and did not display excessive emotion. What the public came to see during an execution was therefore an individual ordeal; executions were evaluated according to the criminal’s greater or lesser ability to face death with courage. This courage was first and foremost demanded of political criminals or those who had become famous for their crimes, because such people were expected to face death with as much vigor as they had lived their lives and committed their crimes. As a result, on the morning after the military execution of Gaston Crémieux, a member of the Paris Commune from Marseille, *Le Petit journal* emphasized the convict’s unflagging composure, self-control, and stated desire to die as a Republican.⁸⁹ Recounting the execution of Auguste Vaillant, an anarchist, *Le Progrès de Lyon* wrote that “Vaillant died courageously, without fanfare, one might even say with indifference. One of the senior police officers who attended the execution was thus able to say, ‘That was a real man who just died.’ ”⁹⁰ Prévost, the police officer who was accused of murdering a jewelry dealer and his mistress, displayed so much courage that he managed, even once he was already pushed against the teeterboard, to ask the executioner if the execution would take long. This short dialogue greatly impressed the public.

Observation of a criminal’s courage when facing death thus became a crucial

element of the executionary spectacle, one that distanced late nineteenth- and early twentieth-century executions from the objectives of their predecessors and proposed new goals. The purpose of executions was no longer to edify spectators by displaying the scope of the government's power or to deter crime by illustrating what became of criminals, but instead to expose the courage of a specific individual in the final throes of death. Executions had now become a kind of sporting event, a spectacle whose success was determined by the valor of its main protagonists. Executions displayed a form of miniaturized military confrontation, during which the individual sentenced to die had to call on his military skills and prove that he found violence to be a banal spectacle.

Brutalization and martial values thus gradually transformed executions into an ordeal to which the sovereign subjected his convicts. It was now the courage of the condemned that justified executions: glorifying this courage would edify the spectators present, teaching them to live, on a daily basis, in accordance with this new exemplary form of death, which was accepted bravely and serenely. Ideally, the truly courageous would accept their fate and not even ask to be pardoned (seen as a sign of cowardice).⁹¹ Executions were only acceptable if the condemned individuals did not "ruin" them by resisting or breaking down. A cowardly convict's execution unfolded without grandeur and was therefore unremarkable. As *Le Petit* journal observed succinctly about a little-known criminal, "During the trip over, Barbier seemed to have lost his composure. Pale and trembling, he received the lethal blow while watching the knife fall."⁹² For Caserio, President Carnot's assassin, the contrast between the scope of the crime and the criminal's frailty was enough to delegitimize the anarchist cause, by insinuating that its supposedly most illustrious representative was in reality a great coward. This was also the occasion for the media to revisit the crime one last time. It was argued that if the condemned man was cowardly in his final moments, then perhaps his act had been cowardly as well. Albert Bataille describes Caserio's last hours: "The wretch was terrified. His voice trembled, his teeth chattered and big tears streamed down his face. Throughout the whole trip from the prison to the guillotine, he continued to emit indecipherable groans."⁹³ *Le Petit* journal only mentioned Caserio's convulsive trembling: "His face was drawn, his eyes haggard and feverish, a strange scowl twisting his face."⁹⁴ One Lyon-based paper depicted Caserio as "horribly pale and slightly trembling" when he heard that his pardon was refused.⁹⁵ He also fell sick during his ablutions, refused the proffered cordial, and wavered unsteadily until the end, almost carried by the executioner's assistants. The *Lyon Républicain* portrayed Caserio with "a trembling body, eyes awash in tears, momentarily unable to

respond” after awaking.⁹⁶ After his ablutions, “his last reserves of strength gave way, the wretch could no longer walk.” The guillotine would in the end only reveal the weakness of anarchy, a political philosophy devoid of substance.

The courage of convicts thus became a means to accept violence and exalt the deadly values of the guillotine. Even at the time, this attraction to martial values was perceived as a means to argue for preserving the death penalty and its publicity; it was criticized accordingly. On the far left, *Le Cri du peuple* argued that a lack of courage did not merely express cowardice and incomprehension in the face of the guillotine’s demanding virtues. A lack of courage should not disqualify a criminal who saw no warlike beauty in his own death. In fact, this situation should instead disqualify the guillotine and its raw violence. Such was the argument elaborated by the newspaper on the occasion of Florent Jacques Kœnig’s execution, when Kœnig resisted violently, claiming his innocence until the very end: “Kœnig did not die courageously, or so say the local drunks and the young women who relish such stories. So much the better! This only goes to show the horror and moral and physical impropriety of capital punishment.”⁹⁷ The newspaper sought to break with the idea of integrating the guillotine’s violence, which in reality meant denying its violence or accepting it in the name of ideal redemption through tribulation. Later, it compared courage to a Romantic reflex, arguing that cowardice was the trait that should be described instead, in order to destroy the “harmful myth” suggesting that condemned criminals were not afraid of death. “They are all cowards,” one editor concluded, in a move to rehabilitate executionary publicity.⁹⁸ Ultimately, the martial relationship bolstered the pro–death-penalty movement by transforming executions into a virtuous and edifying act.

Public executions attempted to portray “a good death” that was willingly accepted by the condemned criminals, a glorious death that made such a form of punishment acceptable. Spectators flocked to gauge the distance between this idealized vision of executions and what actually happened. When this distance was small, an execution was said to have produced a “good death” and fulfilled its duties with administrative precision. When the gap between reality and ideal was greater, executions threatened to produce a grotesque and terrible scene, embodying a kind of violence that menaced executionary publicity.

Self-Punishment and a “Good Death”

Transforming an execution into a good death was not merely an aesthetic matter for the authorities, who had a political stake in meting out punishments without giving them the appearance of sovereign acts. To do so, the government had to somehow convince the condemned individuals to internalize the fairness of the punishment they were about to endure. What began as a form of punishment inflicted by someone else was supposed to be transformed into a form of self-punishment. The goal was for the executionary spectacle to give the impression that the condemned men and women not only accepted their punishment, but in fact inflicted it upon themselves by following the letter of the law, everything thus unfolding in mutual harmony between the convict and the judicial system. Transforming an execution into a good death meant convincing the public that punishment was administered by an autonomous individual to himself rather than by the law.⁹⁹

In classical historiography, a good death was offered to the citizen-soldier who fell in the line of duty. It was a reward for the “citizen’s freely consented [to] death” on behalf of the city.¹⁰⁰ In Sparta, a good death was an absolute imperative: combatants were forbidden to flee or surrender, and were thus forced to die (or let themselves be killed) on the battlefield. Jean-Pierre Vernant notes that combatants “transcended death by welcoming it instead of submitting to it, by transforming death into the constant endgame of their lives, which thus became exemplary.”¹⁰¹ Ernst Kantorowicz sees the soldiers of antiquity who laid down their lives for their city as the spiritual ancestors of the Christian martyrs.¹⁰² The feudal system did not initially include this mythology of the soldier’s sacrifice for his country, as the notion of homeland long remained very tenuous. The necessity of providing a sacrifice for one’s country only resurfaced in the twelfth and thirteenth centuries, when individuals began to form attachments to a national kingdom or territorial community. Defending and protecting one’s country thus acquired a quasi-religious value. When a “new organological concept” appeared (to use Kantorowicz’s expression),¹⁰³ the state started being compared to a body; sacrifice was demanded not on account of feudal ties, but in the name of the princely head governing the body. The kingdom became a sort of mystical body: dying *pro patria* became a sacrifice for the state’s mystical body. It was precisely because the state had become a body that citizens were seen as physical members that the prince could amputate or sacrifice whenever required by the public good.¹⁰⁴ The concept of homeland became an “absolute value” with the advent of the French Revolution,¹⁰⁵ when

both religion and monarchy crumbled and the country's mystical body replaced the tangible body of the king. Enthusiasm for one's homeland persisted throughout the Republican period, but was forced to compete with the rise of liberal individualism, which emphasized the accumulation of goods and thus rendered personal sacrifice too costly and unacceptable. Nonetheless, the Third Republic preserved a sort of "passionate love" for country,¹⁰⁶ inculcated through schooling and civic education, and fostered by a sanitized version of the First World War, as Mosse has already established with regard to the German side of the story.

Executions held during the nineteenth and twentieth centuries share more than just some common traits with the notion of a good death as described above. Condemned criminals were asked to freely consent to their punishment, thus demonstrating that they understood the law as a categorical imperative from which they could not escape. Criminals were not supposed to flee from their death, but to accept it and die "as men," according to the criteria by which brutalization had transformed executions. And if criminals did not exactly die for their country, they died through it, their physical disappearance being deemed beneficial for the collective. The goal was to transform voluntary consent to punishment into a form of suicide. If a condemned man admitted that he was taking advantage of an execution to put an end to his days because that was what he deserved, then an execution formed the logical conclusion to a freely made decision. The authorities emphasized this illusion of voluntary consent to execution and the elimination of oneself. A good death was the result of an idealized situation in which an execution that bore all the hallmarks of an administrative act and was thus devoid of violence was ultimately recognized and accepted as just by the condemned criminal himself. The criminal's self-punishment was especially prized in the context of brutalization, as it resembled the action of a soldier, objectivizing and naturalizing executionary violence, and therefore allowed the system to justify the preservation of public executions. It was important for executionary publicity to portray peaceful executions, not violent acts of sovereignty that were unjustly inflicted. The media sought to shatter the image of convicts offering resistance, and instead depict criminals abiding by the group's values, even when those values called for their elimination.

The mode of punishment played an important role in the notion of voluntarily accepted castigation. For example, this free acceptance stemmed from a belief in the virtues of punishment. As the message spread that the guillotine offered the

quickest and least painful form of execution, even condemned criminals began to tout its virtues. The anarchist Ravachol wrote to his brother, explaining that his delicate constitution would be quite grateful for a “quick end where you don’t have to suffer to die.”¹⁰⁷ The various modes of execution were not necessarily equivalent, insofar as they often stemmed from different imaginary constructs of pain and honor. Each criminal who accepted his punishment wanted to be executed according to his “order,” as had been the case during the ancien régime. For example, Auguste Génévrais, who was to be guillotined in Paris, declared that he found it “very chic” that his head was to be cut off and that he would therefore maintain “more honor” than his friends who had deserted during the war and been shot.¹⁰⁸ Génévrais’s comments reveal a sort of overlap between the kind of act that leads to one’s death (a double assassination versus an act of desertion), and the resulting form of punishment. In fact, civil executions were preferred to their military counterparts, in which only those who were seen as cowards were shot. The inverse could be seen as well, however, as in the case of three criminals who were sentenced to a military execution and preferred to be shot rather than guillotined; they saw the former as less humiliating than the guillotine. One of them said “After all ... it’s better to fall like that than under the guillotine’s blade.”¹⁰⁹

Submission also helped to neutralize the form of punishment by denying its violence and its effects. A number of condemned criminals thus portrayed decapitation as a painless process, just a bad patch they had to get through. Albert Bataille noted that Charles-Auguste Mathelin had declared: “Well then! It’s all good, let them truncate me. I’ll go there like I go for a walk.”¹¹⁰ According to Albert Bataille, Mathelin resolutely walked to the scaffold and died courageously, thus aligning his self-control with his view of the guillotine. The violent punishment was mentally softened by those who were about to be executed, with the result that some even asked to be executed more quickly. The famous Prado even wrote to the president of the Republic, asking for the length of the execution process to be shortened.¹¹¹ Some convicts attempted to speed up the process by delivering themselves to their executioners. For example, Joachin Noray, according to the local prosecutor, ate his breakfast, smoked a little, and then announced to his executioners that he was ready. He then let himself be led to the guillotine without further incident.¹¹² Submission was also expressed in a certain fatalism—condemned individuals could no longer hope to escape from the law. Before getting dressed, Jean-Marie Busseuil explained his calm demeanor: “I was hoping for a pardon, but so much for that, too bad! Maybe I would have died tomorrow even if I had been pardoned. Might as well die

today.”¹¹³ By internalizing the prospect of death, individuals thus accepted it with total submission, either out of courage (stemming from military values) or out of ignorance or optimistic denial of what executions were like.

One last form of free submission displayed by convicts occurred in rare cases when the individuals about to be executed expressed their support for the authorities, the death penalty, and executionary publicity. This justification often took place as the condemned criminal spoke his last words, and it had a large effect on the spectators’ perception of an execution. In the ideal execution imagined by the authorities, the condemned man would admit the need for his execution, as well as its publicity, so that his death could become exemplary. This was a relatively rare occurrence, either because convicts were rarely in any state to pronounce some final words, or because they used this opportunity to promote their case. The latter was often true for anarchists at the end of the nineteenth century, who cried out “Long live anarchy!” or otherwise expressed their hatred for the regime. Their final words thus became imbued with purpose and meaning.¹¹⁴ The media sought to determine whether the condemned had cried out in a hostile fashion, or whether incarceration and the certain prospect of death had ultimately vanquished their resistance. In the end, an execution only fulfilled its objectives if the condemned individual repented, declared that he had found religion, and rejoiced in the fact that his execution could set an example for others. Such was the case for Émile David, executed in Saint-Nazaire on March 21, 1892. One newspaper described his final moments before kissing the crucifix held out by the chaplain:

The condemned man stepped down and asked to speak to the crowd. He said that the punishment he was about to face, and the blood that was about to be spilled, should serve as an example to the young people of Saint-Nazaire: he urged them to never keep bad company.¹¹⁵

When criminals publicly demonstrated acceptance of their punishment, executions became the setting for dispassionate “good deaths,” the necessary punishment for, and obvious consequence of, a dissolute life. Not only did the condemned individuals accept the law and submit to it, they recognized the validity of the punishment they were facing. The prosecutor who recorded the

execution of Gustave Brulé remarked that the criminal had “declared that he was extremely guilty and that he deserved the punishment he was about to face.”¹¹⁶ Other convicts saw their own elimination as a solution to their criminal tendencies, and supported the death penalty as a suppressive punishment. This was the case for Louis-Joseph-Éloi Lâne, executed on February 7, 1875, in New Caledonia. *Le Petit journal* quoted him as saying on the morning of his execution: “It is better that I die today; if I received a pardon, I would do it all again tomorrow!”¹¹⁷

Executions were required because they allowed criminals to eliminate themselves from society, which they could not have done otherwise. This was the final aspect characterizing a good death by execution: its similarity to suicide, as a form of death that was consented to and framed within the legal and political system. From this perspective, executions became a means for the authorities to accept the desire of convicts to commit suicide because, as criminals, they deserved death. Executions thus became a kind of self-punishment organized by the authorities. Jules Vallès described the case of one assassin to whom the authorities “gave alms in the form of the guillotine.... He was lazy and couldn’t be bothered to eliminate himself: he left the administration in charge of this task,” wrote Vallès.¹¹⁸ Jean-Baptiste Courcol, who had killed his wife with a machete, called for the ultimate punishment: “The scaffold! The scaffold is what I was asking for: that’s how I want to die!”¹¹⁹ In these kinds of cases, executionary publicity only served to allow the authorities to express the similarity of all executions, regardless of the attitude of any specific condemned individual. Whether criminals believed that they deserved their punishment or they used the guillotine to commit suicide, the government illustrated the invariability and permanence of executions and prohibited any attempt to individualize the criminals. The executionary process remained the same and had to unfold in an identical fashion, even if the criminal in question merely wished to die without any pomp and circumstance.

It is tempting to describe this as a process by which individuals co-opted the state’s monopoly on violence, and thus to imply the possibility of minor individual resistance from the condemned. However, many Third Republic accounts of convicts clamoring for suicide can seem to be ex post rhetoric, or merely the fruit of incarceration and resignation.¹²⁰ If executionary publicity was not affected but in fact preserved by criminals’ voluntary acceptance of punishment, this was because it had integrated the “good death” argument into the general executionary framework. The presentation of a good death that a

criminal accepted, and even demanded, simultaneously justified the death penalty, its application, and its publicity as visible elements of the legal system. This new form of edification attested that executions no longer scared criminals, but fostered brutalization and glorified military values that were well suited to visible deaths. It strove to illustrate the power of the law through the level of internalization displayed by those sentenced to die. Executionary publicity came to illustrate the triumph of legal rationality over society's criminal element, the very object to be eliminated. Publicity therefore proved its effectiveness by presenting the image of submissive convicts recognizing the validity of the law that sentenced them to death.¹²¹

The presence of a strong retentionist camp that strove to preserve the death penalty and its publicity within the law illustrates the large extent to which this issue was dissociated from the question of sensibilities for a number of contemporary commentators, who instead viewed it solely as a viable form of legal and political technology. When the inherent violence of the death penalty was not denied outright, it was deemed a necessary evil, part and parcel of the nature of punishment. The death penalty was not overwhelmingly subject to a new kind of sensibility that took its violence into account and thus called for its immediate elimination. The retentionist camp did not position itself from the perspective of sensitivity to violence (except when it condemned such weaknesses), and instead considered the death penalty to be a pillar of the regime, thus containing an element of acceptable violence. This camp likewise established a link of dependence between the preservation of the death penalty, the absence of presidential pardons, and the regime's ability to survive. Supporters of the death penalty demanded a strong regime, capable of fighting against what was perceived as a criminal threat. They saw the death penalty merely as a technology of power, whose effects were much greater than the violence it temporarily—and infrequently—deployed against individuals.

From a historical perspective, although other sensibilities did emerge in France, the attitude that triumphed regarding executions was one that strove to preserve the death penalty as part of the legal system. Regarding executionary publicity, however, public sentiment would begin to turn in the opposite direction. Analyzing the victory of the pro-death-penalty movement ultimately entails shedding light on one specific moment within the larger civilizing process and the public's growing lack of tolerance for violence.

Alongside the debate between retentionists and abolitionists, the issue of

executionary publicity was a closely related, but ultimately separate topic of discussion. Publicity was the means through which the authorities depicted punishment, giving life to what otherwise only existed in legislation and rhetoric. To understand the different dimensions of this publicity—that is, its concrete deployment and how it was perceived by the relevant actors—we must set the executionary scene.

CHAPTER 3

The Impossible Task of Designating Execution Sites

Under what conditions can a section of the urban landscape be temporarily allocated to the task of execution? How do execution sites and the political ceremony that they represent become public in nature? To take shape and succeed, executions must occupy a space apportioned to them for a specific, predetermined period of time. The fact that, for many years throughout French history, it was so difficult to select execution sites proves that executionary publicity could not be reduced to the legal requirements governing it, but ultimately remained conditioned by the nature of the space occupied as well as by the level of visibility and the degree of publicity the latter granted to spectators. The location of executions thus appears to have been a major component of the publicity question because it allowed executions to become visible and influenced the various forms that publicity could take.

At first, we might be tempted to believe that the choice of location was governed solely by the government's desire to create centers of political power. Nothing prevented an execution site from already being a site of power and authority, or a space permitting an act of institution, or an act of state.¹ Execution sites were at times anthropologically significant, spaces that made sense to those occupying them: places of sociability, identity, and shared history.² At other times, they were special, temporary places, much like polling stations, which by creating their own norms neutralized the former purpose of the space they inhabited (e.g., a town hall, a school) in order to authorize the ritualization of the civic act.³ And finally, execution sites could also be the exact opposite: locations that were no longer inhabited, but belonged to national memory or historical legacy.

And yet execution sites eluded these categories and required other means of qualification. Even though, throughout the course of French history, execution sites occupied hundreds of locations—perhaps because of this fact?—they never became “realms of memory.” Neither in a historical sense, as cities often refused

to permanently inscribe any traces of the guillotine's legacy on street names and central squares,⁴ nor in a formal one: once expelled from Republican history, execution sites and the heritage they represented were likewise expunged from the high ranks of national memory. Even after the French State was centralized and its territory unified, execution sites were never permanently pinned down, instead remaining changeable and subject to deterritorialization. Government authorities continually struggled to express their power in the sites of capital punishment and to assign symbolic and political weight to urban spaces that predated the executionary act.

Not only did execution sites remain floating and unfixable, traveling throughout the whole urban territory, but their movement was also not dictated by chance: the space occupied by prisons attracted execution spaces, marking the next step in the process of deterritorialization and ultimately rendering both spaces contiguous. Before 1939, a period of "penitentiary sway" preceded the ultimate confinement of executions within the carceral space.

Logical Placement: The Executionary Transformation of the Urban Landscape

The institutionalization of a portable guillotine and a single, traveling executioner allowed the centralized French government to achieve total territorial dominance. The publicity of executions thus existed within an economic scheme of spatial borrowing and the sovereign appropriation of specific sites nationwide. The influence and movement of the guillotine stemmed simultaneously from the newly achieved territorial unification (authorities could now exert their power throughout the country), and from the increasing proximity of city centers to outlying villages and peripheral areas (thanks to the authorization bestowed on center authorities to transform any local site into a place of justice).

In some ways, however, execution sites were also spatially fixed. For many years, every town had devoted a section of its landscape to executions. With the exception of needing to be public, these execution sites did not possess any specific attributes; when the guillotine was absent, they were not distinctive in

any way and did not reveal their sporadic purpose, either by a particular kind of decorum or an official name. Nevertheless, these designated venues were never definitive. They remained movable, whether as a consequence of the city's development or, more significantly, due to the changing customs of executionary publicity. The central authorities that sought to publicize and ritualize executions were thus required to transform a "weak space"—that is, a space that was no different from the outskirts—into a "strong space."⁵ They had to momentarily divest an urban space in order to later objectivize it as a site of executionary power, without, however, definitively consecrating it as such.

The Statutory Regime for Choosing Execution Sites

One branch of the research devoted to the concept of public space insists that "space" is not a substance, but rather the product of a sum of investments, interactions, and gestures that sanction a location and grant it purpose. According to their stakeholders, the spatial dimension of urban mechanisms and the locations that welcome them possess a certain social effectiveness that participates in the process of (re)producing the social body.⁶ In this light, publicity always remained merely an eventuality of space unless a double phenomenon had not already occurred: a first operation by which the authorities implemented executionary gestures, and a second operation by which the relevant social agents ultimately validated the first. Therefore, superimposing an executionary site onto a public space not only presupposed a legal declaration of what executionary publicity might entail and of the site on which executions might occur: it also presupposed the prior establishment and confirmation of an appropriate space and suitable gestures. However, the law never defined such spaces in detail, and "publicity" was often interchangeable with "visibility." Legislators postulated that publicity was a condition, rather than an effect, of practices. Consequently, by granting executions less and less exposure, the authorities did not infringe on the legal principle of publicity, but nonetheless made the social practices that produced public execution spaces more difficult.

Before the publicity requirement for executions was abolished, execution sites embodied the core of the medium, according to the letter of the law. A clearly ignored parliamentary ruling of 1633 prohibited executions from occurring

anywhere other than in a public space, in order to prevent criminals from being executed at the scene of the crime.⁷ The principle of publicizing judicial activity was institutionalized by the Revolution, but in reality it had less effect on executions (which were already public at the time⁸) than on procedural stages and the trials themselves.⁹ Successively adopted by legislators without any changes, the 1791 Penal Code merely recalled the necessity of making executions public.¹⁰ But the nineteenth century witnessed an important twofold split with regard to publicity measures. The first facet of the shift was that the Court of Assizes was no longer required to designate execution sites in its rulings. The second aspect was a consequence of the first: the scene of the crime was forbidden to be used as the default execution site.¹¹ Postrevolutionary penal codes in fact contained a provision indicating the necessity for the Court of Assizes to eliminate uncertainty regarding the place of execution, by stipulating it once and for all in its sentencing. Hence, echoing its predecessor from 1791, Article 26 of the 1810 Penal Code read as follows: “The execution shall take place on one of the public squares which shall be indicated in the sentence.”¹² But a lingering tradition often worked to designate the scene of the crime as the execution site, not only to underscore that these two places were one and the same, but more important, to use this shared trait to erase the crime with its corresponding punishment. Designating the crime scene as the execution site also bolstered a sense of public order: the authorities sought to convince the people living in the area where the crime had been committed that justice had been served. This method was slightly problematic, however, because it could propagate the idea that justice was only being served for those affected, or that justice was merely a matter of local vengeance.

Although the wording of Article 26 remained the same in later penal codes, jurisprudence began to evolve.¹³ The Court of Assizes was now expected to reject the crime scene as execution site and instead designate a new location of its choosing. The Court of Assizes’s regional capital generally became the new execution site, with a few exceptions. According to legal experts, sentences handed down usually indicated a township but not a specific location within the township.¹⁴ Pierre Zaccone, a popular novelist at the time, explained this reality by saying that the ruling designated the location whereas the administration selected the public space.¹⁵ Executions became part of the urban landscape, but still preserved their public nature by fulfilling the requirement of unfolding in a centrally located public area. The “public place” or “public square” of the original wording would change in meaning over the years. What was often a village square, a plot of land, or a fairground in the first half of the century—in

other words, an open area that many people traveled through—in the second half came to be understood as a site explicitly belonging to the village or town: preferably an important place imbued with sociability, a sort of agora that would allow the execution to be publicized and witnessed. In charge of choosing the exact location, local municipalities began to favor important places—if not the main town square, at least a secondary one. Large cities, which already possessed a specific site for executions, generally conserved those. Leaving aside cities like Paris, Lyon, and Marseille, which were already entrenched in the tradition, throughout the rest of the country, executions became a reality of the urban landscape, coming out of the shadows and occupying center stage.

But this change did not happen without incurring some resistance, and many Courts of Assizes continued to prefer the town in which the crime had been committed. In 1868 a memorandum from the director of Criminal Affairs and Pardons (a member of the Ministry of Justice) was addressed to all public prosecutors. It stipulated that “the legislators presiding in 1820 nonetheless believed that as a general rule, executions would take place in the legal capital belonging to the jurisdiction of each Court of Assizes. And yet I have noticed that in the past few years, the courts have often designated the execution site in the municipality where the crime was committed.” The memorandum added that the scene of the crime should only be used as an execution site in certain extraordinary cases, “where the gravest motives required such an example to be presented to the corrupted and sinful population,” and where “respect for the law seems to be instilled by the actual spectacle of atonement.” The note ends by reminding prosecutors that “it is not the magistrate’s job, but the municipal authority’s (and in the case of opposition, the prefect’s) job to choose the public square where the execution will take place.”¹⁶ What the memorandum primarily aimed to do was strip the judicial authorities of their power to designate execution sites, and instead force them to delegate this responsibility to local officials.

This first memorandum had no immediate effect, and on June 27, 1874, the minister himself drafted a new one, wherein he lamented that “the instructions on the subject seem to have been completely overlooked,” and adds, “with regret, I have observed that, especially since the beginning of this year, for more than a third of capital punishments, the executions took place somewhere else than in the region’s administrative capital.” The memorandum thus demanded that each time that the public prosecutor called for the death penalty, “the punishment would take place in a public space in the town where the conviction

was handed down.” And only “sometimes,” in order to “ensure that this terrible punishment retain all of its intimidating power,” would the Court of Assizes be allowed to choose the location of the crime as the site of execution.¹⁷ The new judicial policy did not, therefore, seek to attract the maximum amount of publicity, but a specific kind of visibility guaranteed by the choice of an urban location. The political pitch justifying the choice of the city where the Court of Assizes was located as the execution site confirms that this normative evolution was prompted by a desire to situate executions in proximity to the detention facility where the convicts sentenced to death were housed, thus sparing them a long journey to the guillotine. For example, this notion was expressed in an 1874 memorandum: “Public sentiment will be painfully offended by the continued anguish suffered by the convict, simply because he needs to travel long distances in order to arrive at the site of atonement.”¹⁸ The above wording also implies that police would be better able to cordon off an urban execution site than a vast open field, and thus be more apt to guard it. In parallel to such legal arguments, however, we can also glimpse the fact that executionary publicity was changing and shifting ground.

By stripping the Court of Assizes of the ability to designate a specific public location and imposing instead the choice of an urban execution space, central power was strengthened. The site of execution was subtracted from the space of the crime that had determined it. After a crime, justice was no longer served in a localized fashion, but nationally, thus eliminating the confusion between the criminal location and the punitive location. Consequently, it was not originally a question of endowing local municipalities with new powers, but of separating the scene of the crime from the place where justice was served. The deterritorialization of execution sites can be explained by a desire to deprive the judicial branch of the right to designate the site of torture and/or execution and instead grant this political power to local mayors (who were generally in close contact with the prefects). The central authorities did not, however, care to closely monitor the locations chosen by local officials, just as they had previously been uninvolved with the selections made by the Courts of Assizes. They sought instead to unify the law at the national level by prohibiting judges from relying on their sole discretion. Despite being scattered throughout the country, execution sites were all chosen according to a single criterion and thus consequently became a specific kind of place, a site where executionary power could always be exercised in the same fashion. Thanks to this deterritorialization, authorities were able to homogenize territorial differences, thus rendering execution sites identical regardless of where they were located.

Nevertheless, it remains to be seen whether or not this attempt at decentralization ultimately contributed to the authorities' relinquishing control over local publicity management. The gaps in publicity that occurred between 1870 and 1939 were not truly caused by the actions of the provinces, which, once they were in charge of setting locations, took over the center's role and gradually reduced publicity. In reality, territorial unification as sought by the powers that be historically settled the question of place, thus allowing the question of publicity to reemerge. When publicity died down, or when execution sites began to inch closer to prisons, it was less because municipalities wished to retain exclusive control over publicity than because the central authorities were pushing more and more fervently for depublicization in each passing year's penal agenda. By inscribing the site of execution onto the urban landscape, those in power produced a host of problems intertwining the city and the death penalty.

Setting the Stage for Executions

Once it was confirmed that no presidential pardon would be granted for a specific case, the local mayor was put in charge of finding an appropriate execution site. Archives show that the mayor's room for maneuvering was limited by the prosecutor, who often tried to return to the older arrangement, according to which the judiciary was legally in charge of designating execution sites. The prefect also imposed limits, making sure that the location chosen allowed appropriate visibility, as legally required, and could be easily controlled by the law enforcement personnel he managed. The mayor then paid careful attention to the way his constituents received the announcement of a choice or the institutionalization of an execution site in their town or neighborhood. For each execution, when the location was not yet determined or when the usual place was contested, correspondence between the prosecutor and the mayor often revealed the latent issues involved in choosing an execution site. For the execution in 1872 of Issac Sitbon and Raphaël Toledano in Marseille, the public prosecutor of the Republic wrote to the city's mayor on July 12 (more than two weeks before the date set for the execution), asking him to designate the execution site on the grounds of Saint-Lazare, in order to avoid "the problems caused by the rabble's savage curiosity, impatiently waiting for two heads to fall."¹⁹ The prosecutor deemed that the Saint-Lazare neighborhood, situated at

the north of the Vieux-Port, was a more easily monitored location (thanks to its centrality), but also harder to reach than the traditional execution site on Place Sebastopol in the eastern part of the city, which was an open and easily accessible outlying space. The location of publicity and the objectives of this publicity were thus divorced, the mayor ultimately seeking a “public” space, rather than a space where “publicity” would be greatest.

Paradoxically, publicity was not the most limiting constraint imposed on the mayor when he chose an execution site. Before executions were allowed to occur within the confines of the prison, the publicity requirement merely meant that the chosen location had to be “open” rather than “closed.” An open space, meaning one that was neither inaccessible nor confined, where spectators could witness an execution without any special accommodations. This meant a public place permitting “visual accessibility,”²⁰ in which the kind of publicity made possible was determined by selecting what the location would conceal or reveal. Correlated to the act of staging, this constraint in particular allowed for an open urban space to be visually closed off, and thus for publicity to be restricted, not by limiting physical access to the site but by limiting visual accessibility. Although open in appearance, execution sites could be partially closed off visually by virtue of a specific topographical choice (a clearing surrounded by trees rather than an open field; a square flanked by buildings rather than a vast crossroads), or by specific arrangements made (e.g., a row of police forming a square around the guillotine cordoned off visibility without running contrary to the legal principle of publicity). Publicity was thus not inherent to location, nor was it an effect of the law: it was a trait conferred on the location by the execution’s staging and by the latitude awarded to its spectators.

Cities and towns often preserved the same execution location for long periods of time. These were actually temporary locations that reclaimed their original purpose as soon as an execution was finished. But the municipality’s new power to choose a different location for each execution led to a historical rupture. This included greater variety in the choice of execution sites, as well as more measures adapting to urban demands (development, traffic, etc.), which, when coupled with the infrequency of executions, transformed execution sites into “eccentric” locations in all senses of the word (that is, foreign to the city because they were occasional and liable to be refused as execution sites in city centers).

Changes in and challenges to executionary publicity under the Third Republic can thus be at least partially explained by a twofold phenomenon. On the one

hand, the national designation of execution sites in the Court of Assizes's regional capital, which stemmed from a transfer of powers between the judiciary and local officials hoping to unify sites throughout the country, thus always guaranteeing similar arrangements and publicity; and on the other, the de-designation of execution sites, as a consequence of the mayor's choice regarding location. This de-designation weakened execution sites by divorcing them from their crime scenes, and by attempting to link them with a city possessing no local memory of the crime and its reparations, or with which they shared no real relationship. The mayor's responsibility for selecting a location in fact became a constraint imposed by the law, forcing him to hold an execution that no city wanted to host. This imposition was resolved in one of two manners. First, either the execution site was pushed to the outskirts of the city: this was the choice made by Paris after the Grande Roquette prison was dismantled at the end of the 1890s and the authorities proposed holding executions in front of the Fresnes Prison in the suburbs.²¹ Ultimately, the execution site was placed in front of the new La Santé Prison, in a newly annexed neighborhood far from the center of Paris. Or second, the execution site was more specifically situated right next to a prison. This occurred for a variety of reasons that we will examine below, one of which was the desire to avoid re-creating the "shameful parade" of the criminal sentenced to death throughout the whole city, as was the case under the ancien régime and the Reign of Terror. This choice also revealed the desire to combine the two penal places—the prison and the guillotine—in contiguous spaces, before they ultimately came to occupy the same space after 1939. The choice of holding executions next to the prison was thus determined by the aim of keeping publicity and spectacle to a minimum.

The difficulty associated with the designation of execution sites can be explained by the reluctance to transform urban spaces into execution spaces; that is, to change the purpose of an urban space, especially at a time when executions had become rare and exceptional occurrences. Cities often did not see any executions during several decades—for example, Béthune had no executions between 1844 and 1909—and thus no longer knew which location to pick or how to organize the process. City officials saw public executions as an archaic fate befalling them, a sort of dispossession of their local space for the purposes of legal activities dictated by a central state, whose impact on the continuity of urban life had to be minimized. This led them to try to control publicity by limiting access to execution sites and confining both the space and spectators. Execution sites were chosen and subjected to staging, and the executions themselves were "exposed" to varying degrees,²² depending on the desired publicity levels.

Holding executions far from city centers, imposing visual restrictions, and limiting what could be witnessed can thus all be understood as obstacles that ultimately limited publicity.

The Symbolic Efficacy of Execution Sites

As isolated and rare occurrences in the life of a city, executions became increasingly unable to mold the urban landscape to their own needs. The difficulty was in establishing a temporary place of power that would guarantee an execution's success. It was also necessary to grant a kind of executionary solemnity to a site previously devoid of any such gravitas. Contrary to the political and religious rituals that unfolded in places that had been erected, monumentalized, and dedicated to such activities—churches, assembly halls, stadiums, and the like—executions were at best forced to occur in an empty space; in most cases, they were forced to occur in a space filled with urban attributes that were foreign to the guillotine. In other words, a neutral space had to be transformed into an execution site.

It was therefore highly necessary to visually acculturate spectators by symbolically shaping execution sites. Before the crowds arrived, the location had to be peppered with signs explaining the rules and allowing the execution to meld into the urban landscape. From this perspective, it becomes evident that the symbolic operation concerning the execution was not only a way to infuse or condense meaning in elements devoid of any,²³ but first and foremost a way to relate the representation given and the social effects inherent to the location.²⁴ The symbolic efficacy of the site as imagined by the authorities became apparent in efforts to link together the urban space and the executions taking place therein. As a consequence, a location's situation, the objects surrounding it, and the individuals occupying it came to constitute the rules of a localized executionary game. The goal of this game was to spatially and temporarily establish a place endowed with the power to mete out capital punishment. The unspoken rules governing the construction of execution sites and their visual arrangements were open and complex. The mayor, the prefect, and the prosecutor often agreed not to designate a main city square as the execution site. Their refusal to do so could on one hand be explained by a desire to avoid

disrupting city life by closing a major square off to traffic—a consideration that would only grow more significant as automobile traffic increased and vehicles brought more and more individuals to watch an execution unfold. On the other hand, the refusal could also be explained by the fact that closing off a less centrally located square, which was consequently likely to be less crowded, would make maintaining control an easier task. In addition, many of the main city squares were home to a sufficient number of other activities, thus preventing them from being converted into execution sites. As numerous locations regularly welcomed parades, speeches, demonstrations, and celebrations, they were not suitable for executions. The symbols associated with a main city square were often too far removed from the death penalty to guarantee symbolic transference and a successful execution process.

Accordingly, those in charge of choosing a location most often opted for a location devoid of any particular purpose or historical significance, on the outskirts, where occupation by the guillotine, crowds, and the police could occur without difficulty. For example, explicitly choosing a location for its capacity to be easily cordoned off was mentioned in the case of Eugène Meunier's execution in Nancy in 1891. Having killed a priest and his servant, the former customs officer was executed at the end of two narrow roads, the "Prison Crossroads," rather than on an actual square. According to the prosecutor, writing in his report to the minister of justice, the choice of this remote location was motivated by the fact that it was easy to guard.²⁵ The following year in Montbrison, the execution of Ravachol was considered highly risky, the authorities fearing anarchist unrest. The usual execution site no longer appeared to be safe. *Le Petit journal* indicated that the mayor could select a narrow and elevated site that would thus be difficult to attack: "In order to thwart any of the anarchists' attempts, the execution will not take place as usual on the main square of Montbrison, in front of the Hôtel de la Poste, but at a small crossroads in between the courthouse, the prison, and the police station."²⁶

Generally, execution sites were initially adopted pragmatically based on the kind of execution slated to be held; in the above case, the type of convict was also considered in selecting an inherently "strong" location naturally suited to the execution. The authorities also wished to contain the crowd for Joseph Renard's execution in Versailles in 1913. The Pont-Colbert, the city's traditional execution site during the second half of the nineteenth century, was abandoned in favor of the Place des Tribunaux. Located between the prison and the prefecture, this square was less remote, but also more easily enclosed. Commenting on this

change in location, *Le Petit journal* observed that “it would be easy to keep the crowd at a distance thanks to the barricades on the Rue Saint-Pierre, the Rue Jouvenal, and the Avenue de Paris.”²⁷ This was indeed what motivated the choice of local officials. The prison building was itself used as a barricade: as the guillotine was placed not far from it, this meant that one less side had to be monitored or blocked because no spectators could approach from that direction.

The choice to hold executions in proximity to “official” buildings other than prisons remained rare, however. When this was the case, the adjacent buildings used were those that symbolized power and order. Police stations, barracks, prefectures, town halls, and courthouses were among the most frequently used locations, with the hope that they would confer their imposing stature and symbolism on an execution. During the nineteenth and twentieth centuries, many cities thus chose to hold executions next to the barracks (Belfort, Montbrison); the town hall (Beaucaire, Lyon, Paris, Sartène); or the courthouse (Aix-en-Provence, Boulogne-sur-Mer, Bourges, Le Puy, Lille, Rodez, Vesoul). In these cases, the execution site appeared to be the open, geographical extension of a closed and immobile seat of power. Executions took place there as the final stage in a process that may have unfolded in those very buildings and under their authority. The very frequent proximity of the courthouse and the prison reveal that executions were first and foremost perceived as acts of justice—hence their location not far from where justice was handed down and incarceration occurred. For many towns, execution sites did not seek to be universal or to permeate the urban area. The legal public space was considered to be a place of law, and the objects that symbolized the law were thus called upon to mark its boundaries.

For the cities and towns that did not choose to hold executions near a site of judicial power or in an urban center, executions were pushed to the outskirts. The remoteness of the new locations could be both geographical (far from the city center) and social (generally accustomed to hosting unofficial activities). Bordeaux’s Champ-du-Repos, where executions took place during the second half of the nineteenth century, was located on the outskirts of the city, not far from the village of Caudéran, which the city would later annex. In Versailles, since 1810 the traditional execution site had been at the roundabout of the Boulevard du Roi and the Avenue Saint-Antoine, at the edges of Versailles and Le Chesnay. This location was abandoned in 1847 for the Pont-Colbert, near the gate of the Rue des Chantiers in a quiet neighborhood far from the center; the Pont-Colbert would remain the exclusive site of executions until a new amending bylaw was adopted in 1913.²⁸

On June 30, 1874, Antoine Césariat was executed on the outskirts of the fringe of Pibrac, seventeen kilometers west of Toulouse: the prosecutor indicated that “the scaffold was erected above the village, on a square near Le Courbet stream.” The Court of Assizes did not take into account the 1868 memorandum—and the June 1874 memorandum had just been published so could not be incorporated into the bylaw—which required that the scene of the crime no longer be used as the execution site. In fact, the court opted for the small village that had witnessed the crime rather than for Toulouse. The prosecutor wrote to the minister of justice as follows:

I had greatly regretted the decision according to which the Court had ordered the execution to be held in Pibrac. Such a measure could only engender complications and create difficulties of all sorts, without even presenting the advantages that the Court had in mind.²⁹

The “complications” expressed were no doubt related to maintaining order, and the “advantages” would have been the ability to inform the population of Pibrac that justice had been served (without, however, making the emblematic choice of Toulouse and thus offering an execution whose publicity would truly be *erga omnes* and directed at the entire region’s population). In the nineteenth century the two executions that took place in Saint-Rambert, twenty-one kilometers from Montbrison in the Loire region, were separated by over sixty years, from 1813 to 1879.³⁰ Both were held at the Parcelle des Unchats, a vast square on the outskirts of the city. In addition, execution sites situated on the outskirts of the city were at times not even officially named. In Evreux in 1888, Paul Maitayer was executed somewhere on the Route de Caen, without a specific site being mentioned.³¹ In 1926 another execution took place in the same city, this time on the fallow fields belonging to the municipality of Buisson.³²

The choice to hold executions far away from the city center helped to inscribe them within a different, nonurban economy. The French city of the nineteenth century—in particular Paris, and especially after Haussmann’s renovations—was characterized by speed and movement; it was a space where things were in perpetual motion. The guillotine was thus not only seen as archaic and incompatible with modernity (despite still having some champions³³) but also

rejected because it marked a momentary pause, a moment of death that city centers refused to accept. As a consequence, executions were relegated to rough neighborhoods and urban wastelands. In Paris, the La Roquette neighborhood was described as “the city’s most sinister,” thanks to its two face-to-face prisons.³⁴ The whole of this neighborhood, including the Rue de la Folie-Régnault, known for being where the “timbers of justice” were stored (to use the guillotine’s more colorful name), was described as a nonplace: “Everywhere and on all sides, the eye sees empty land, peppered with tombstone building sites. Two feet away, a cabaret; a bit further down, the small furnished rooms rented by laborers; and farther away, up in the hills, the larches and cypresses of the vast necropolis, the Père Lachaise.”³⁵ For local officials, relegating executions to the outskirts of a city was an attempt to marginalize the death penalty by removing its violence and negative connotations from the public gaze. It was also an attempt to create two autonomous spaces: one devoted to urban activity, and one adopted for the specific political and legal activity of capital punishment, the two ideally never intersecting. Moving away from the city center was one tactic used to highlight the separation between the punitive space and the city’s residential and commercial spaces. This was also a way to resist legislative injunctions by playing with the letter of the Penal Code, where it was stipulated that a “public place” be chosen: the place selected was indeed public, but on the fringes, as local authorities would have ultimately preferred there to be no public.

Spatial marginalization was often accompanied or replaced by a form of social marginalization, wherein the site chosen was devoid of any solemnity, or its usual purpose revolved around socialization and exchange. This was the case with market squares or fairgrounds, whether they were still in operation or had just conserved the name. Contrary to what happened when official buildings flanked an execution site, when social centers were used they transferred weakness onto the executions taking place within their midst. Whether the space hosted fleeting interactions or bore a trivial name, these were all obstacles to publicity, which the authorities precisely wished to limit. For example, in Angoulême at the end of the nineteenth century, executions took place on a former fairground, the Place du Champ de Foire; in Blois in a square named identically; on the actual fairground in Saint-Gaudens and Laval; on a market square called Place du Franc-Marché in Beauvais, in Arras and Reims in an even more specifically named Horse Market Square;³⁶ in Quimper and Saint-Omer, on “Cattle Market Square”;³⁷ and finally, in Saint-Pol, on “Pig Market Square.”³⁸

The guillotine's numerous movements must thus be seen as the consequence of obeying political and urban imperatives, as dictated by the publicity requirement. They also illustrate the form that publicity generally took under the Third Republic, at a time when the growing difficulty of organizing publicity due to its incompatibility with urban life prophesied its coming demise. Publicity depended on the relationship between location and city, between spectators and location. In other words, it had to be possible for an execution site to materialize in a given location, even though executions were a rare occurrence and had to inhabit spaces that were not entirely suitable. Execution sites had to be imbued with significance so that they could in turn saturate the spaces they occupied with solemnity. They were required to be simultaneously sacred and public, without becoming institutional. Execution sites began to appear as new places of power, spaces where justice was dispensed despite all forms of permanence being rejected. Far from automatically being sites of publicity, public spaces could only accommodate this requirement thanks to the manner in which a location was chosen and instilled with significance. Because this process was temporary each time, it had to be continually repeated. Over the decades execution sites varied and, consequently, the logic behind their placement had to be adapted.

Logical Displacements: The Siren Call of the Prison

Contemporaries of the guillotine well knew the difficulties associated with situating it. They saw in this problem either the consequences of local political struggles or discomfort and uneasiness surrounding the death penalty. *Le Petit journal* very quickly began to analyze changes in location as indicative of France's increasing civilization: "In reality, these migrations toward ever more hidden locations are proof of society's progress toward abolishing the death penalty."³⁹ Nevertheless, the displacement of execution sites and the question of abolishing the death penalty were often separate matters because they were not subject to the same imperatives. Historical shifts in location can be explained first and foremost by the difficulty of holding executions in spaces that were not inherently designed for them, and by a certain repugnance, shared by both local authorities and political and legal officials, to publicizing such morbid events. The various changes in execution sites perhaps heralded the abolition of the

death penalty, but the latter would not occur during the Third Republic. In reality, these shifts were more indicative of the growing suppression of publicity related to executions. In fact, when examining a particular town or city, the trajectory followed by shifting execution sites was far from erratic, but in fact governed by a growing proximity to the carceral space.

Working from a group of ninety towns, each having between two and five location changes between the Middle Ages and the twentieth century, it was possible to analyze the various political and publicity issues that affected the moves of execution sites. We note in particular that beginning in the mid-nineteenth century, execution sites began to succumb to the siren call of prisons. Almost all executions that occurred during this period crept closer and closer to carceral structures, before finally being engulfed by them in 1939.

From Temporary Places to Uncertain Places

In nineteenth-century Paris, the vestiges of historical execution sites were incredibly rare. No trace was left in the various places where the revolutionary guillotine had claimed so many lives. After centuries of use, the Place de la Grève had preserved no memory of its victims. No name recalling a violent past was given to any Parisian crossroads, with the exception of the Place de l'Estrapade (Strappado Square).⁴⁰ When the Paris Commune burned guillotines, it did not neglect to pry loose and then remove the five paving stones on which the instrument had been placed in front of La Grande Roquette.⁴¹ These stones were the only hard proof of a form of punishment that had become fleeting. The urban space was emptied of all reminders of the death penalty, and the publicity requirement became the only instance when it was again necessary to allocate space for such punishments. Coupled with the original difficulty of allowing public executions to take place at all, the disappearance of stable locations provoked permanent changes in local execution sites. At the legislative level, the move toward deterritorialization that spanned the Third Republic was initiated by a Parisian prefectural ruling dated January 20, 1832, which asked officials to “prefer the designation of locations far from the center of Paris” and to bring execution sites in closer proximity to prisons.⁴²

When presented with the obligation of choosing a location and organizing an execution, local authorities had two possible solutions. They could either rely on a kind of institutional memory and reproduce a prior execution, or seek advice from their counterparts in another city. The first solution was adopted in Versailles, where the frequency of executions had established a certain tradition, and where execution sites managed to remain stable for several decades after each major change. Selecting a location became a nonchoice: if the previous execution had been a success, the following one was modeled identically. For the execution of Marcel-Gaston Morice in 1930, the mayor simply copied the letter indicating the location of Gabriel Monfort's execution three years earlier, overwriting with a pencil to let his administration know that the location would remain the same.⁴³

The second solution can be observed in the correspondence between the mayor of Versailles and his counterpart in Dijon. In 1847 the latter wished to imitate the strategy used by the authorities in Versailles and move the execution site away from the city center. The sole fact that Dijon's mayor sought information on this subject illustrates the extent to which the central government was uninterested in managing the minute details of local executions. With local communities having been granted autonomy—or perhaps just abandoned to their own devices, even before the requirement to hold executions in a regional capital multiplied the number of executions occurring in a specific spot—we must reexamine the notion of central state control over executions. With the death penalty, the state merely manifested its monopoly over physical violence and its ability to affect the bodily integrity of its citizens. But the state left local authorities in charge of determining the shape that this reminder of its power would take, offering only the slightest of guidelines. Delegating the choice of an execution site to local authorities can ultimately be explained by the desire to always guarantee that a provisional but appropriate seat of power would be chosen, insofar as it was better for such a place to be selected locally rather than imposed by the central state. Likewise, the delegating of choice can also be seen as a consequence of a growing reluctance to publicize executions. What officials sought was no longer a place that offered maximum publicity (for which central authorities had never been able to provide a sacramental form), but one that met the single requirement of making an execution public, without regard to its effectiveness or exemplarity. In the nineteenth century publicity had gradually begun to evade the reach of the central government.

The virtual autonomy of local authorities was thus visible in the nature of the

questions posed by Dijon's mayor. Expressing interest in the location change of executions in Versailles, the mayor's letter of September 1, 1847, demonstrated that he primarily wished to know the shape that the municipal decision had taken, in order to reproduce it locally. Concerning location, Dijon's mayor wanted to know how far from the prison the new space was situated. He also asked whether the new site was a true public square in the city—centrally located, open, and accessible—or “a vacant public lot, far from any inhabitants.” With regard to the official decision, Dijon's mayor wanted to know if the location change was prompted by a simple decree, if it had required deliberation by the city council, and if the ruling had been approved by the prefect or the public prosecutor.⁴⁴ On September 7, the mayor of Versailles responded that he had copied the Parisian prefectural ruling of 1832, noting that the previous location was in the city center and that “far from preventing crime by instilling the fear of punishment, [the sight of executions] was in fact the subject of pointless curiosity for most of those attending the event.” The mayor thus preferred to choose an execution site in a “remote and isolated area.”⁴⁵ This administrative correspondence illustrates local relationships that existed with central authorities, and the newly evolving approach to the publicity of executions. Dijon's mayor may also have contacted the prefect, who would have been better suited to answer his questions, but he ultimately preferred a horizontal form of communication with a distant city. This demonstrates the defiance of local authorities with regard to central authorities, but also acceptance that central authorities had delegated the choice of execution sites. The questions asked by Dijon's mayor suggest that the central state's lack of interest in publicity had not yet been realized, whereas the answer from Versailles shows, on the contrary, that it was officially established and the need for a central public space was no longer quite so important. What Versailles said to Dijon was that in future, execution sites could be disconnected from their publicity. In fact, publicity was no longer the foundation of an execution, but an element that undermined it by transforming it into a spectacle and a source of incidents rather than a periodic reminder of power. Contrary to what happened at times during the first half of the nineteenth century and earlier, a location offering maximum publicity was no longer preferable. We can use Lyon as an example. Like Paris, the city had seen several execution sites during the previous century, the locations shifting according to the local demands of publicity (which legally, however, had not officially changed). In 1792 the main Place de Bellecour was the execution site. The square's centrality was determined by its geographical location in the heart of the Presqu'île (the Peninsula), by its historical significance as a place of high urban density, and by its role as an

agora. A high level of publicity was thus sought through the number of social interactions that were spatially determined and a good amount of visual accessibility: the scaffold was erected in the middle of a vast, unobstructed square. During the Reign of Terror, executions moved to the north of the Peninsula, on the Place des Terreaux, another historically important square in Lyon. This new location was still centrally located and close to the town hall, which was on one side of the square, and thus linked the execution site with a seat of power.⁴⁶ More limited in size, this location was officially appointed as the site of future executions in a prefectural ruling issued May 1, 1812. The first article contained in the ruling reads: “The site of the exposure and execution of any individual sentenced to death by a ruling of the Court of Assizes is definitively selected as the Place des Terreaux in front of the town hall, for all executions needing to take place in Lyon.”⁴⁷

In 1827 this location was contested and a variety of alternatives were envisioned. To explain this reaction, we formulate a hypothesis: the Restoration sought to break from what had been the historical execution site during the Revolution and the Empire, while opting for a location further from the city center. The goal was to dissociate the social meeting place from the executionary site and the seat of power, as well as to stop granting the same importance to the publicity of executions. The growing desire for depublicization was also visible in attempts to disconnect the site of public exposure from the site of execution. In such cases, the exposure site saw heavy traffic, whereas the execution site was more isolated. On April 6, 1827, the Rhône prefect informed the mayor of Lyon that he had ordered the transport of stones that would be used to erect the scaffold on the Place des Cordeliers, southeast of the Place des Terreaux, and that he awaited the mayor’s opinion on this location change. But the mayor, with the support of the public prosecutor, preferred the Place de la Halle, located a bit more to the south.⁴⁸ The prosecutor ultimately proposed a compromise: the execution would occur on the Place Louis XVIII (today Place Carnot, in the south of the Peninsula and south of Bellecour), while exposure would occur on the Place de la Halle, which was more centrally located. In fact, the prosecutor wrote: “This square seems too isolated to me for exposing convicts in the stocks; I think that it would be more suitable to have them on the Place de la Halle au Blé as the inconvenience would be minimal to local residents.”⁴⁹

Ultimately, the Place Louis XVIII was deemed the less busy location—and thus the one attracting the least amount of publicity—and became the designated execution site for the future.⁵⁰ The execution site changed again in 1853, moving

toward the south, right at the top of the hippodrome (which no longer exists today) on the Cours Charlemagne.⁵¹ In 1878, for the execution of Pierre-Jean Laurent, the location shifted very slightly to the Place de l'hippodrome itself.⁵² Execution sites all stayed in the neighborhood afterward, inching ever closer to the Saint-Paul prison, where death-row inmates were housed. The government of Lyon not only exiled the guillotine to the city's southern region, far from the urban center, but also opted to execute convicts on street corners rather than in the middle of public squares.⁵³ This revealed its desire to more easily control a smaller execution site, departing from the previous century's affinity for highly visible executions. According to a local newspaper, after taking the prefecture's advice the chancellery implored the mayor to hold Caserio's execution in 1894 at the corner of the Cours Suchet and the Rue Smith, south of the Place de l'hippodrome.⁵⁴ This demonstrated the wish to have only one location for both incarceration and execution, as the new execution area was situated not far from the prison. Finally, authorities hoped that the lack of visible punishment and publicity inherent to the prison would spill over to the execution site itself, depriving it of any widespread influence.

Efforts to limit publicity now determined the choice of execution sites. Attempting to thwart all forms of publicity while organizing executions that were legally required to take place in public became the sole criterion for choosing an appropriate location. And the other motivations trotted out to explain why execution sites moved around so much—meeting the demands of local inhabitants who wanted the execution site moved farther away;⁵⁵ decentralizing sites of ill-repute toward poorer neighborhoods;⁵⁶ or even improving the flow of traffic in downtown Paris⁵⁷—were merely symptoms produced by the deterritorialization and depublicization of executions. The goal was primarily to invent new spaces capable of temporarily hosting the instrument of the death penalty, while still restricting (the legal required) publicity. The geographical travels made by the guillotine thus corresponded to a decrease in publicity, and to the notion that less publicity would be generated by bringing execution sites closer to prisons.

The Prison's Centripetal Motion

The deterritorialization of the guillotine throughout the country was marked by an overwhelming tendency to move closer to where inmates were housed. In fact, almost all the execution sites adopted during the Third Republic were situated in front of prison gates. This shift was especially striking because, with the exception of the isolated decree issued in Paris in 1832, no legal text required executions to occur in proximity to a prison. The phenomenon of deterritorialization thus revealed society's new shared sensitivity to public executions, which consequently sought to limit their visibility, ultimately by bringing them within the prison walls after 1939. This allows us to challenge the idea of a sudden, historical break and forces us to take into account the phenomenon that gradually drew all execution sites closer and closer to penitentiary spaces, ultimately making the elimination of public executions possible.

Between the 1860s and the first half of the twentieth century, two-thirds of the ninety towns studied chose to hold their executions in close proximity to the prison where the prisoner sentenced to death was being held. The general trend of considering penitentiary surroundings as execution sites marked the end of the deterritorialization process almost everywhere throughout the country. Paris's history is exemplary in showing the extent to which deterritorialization could affect execution sites, as well as the rise in prominence of prisons as designated execution sites. Beginning in 1310, the Place de Grève in the heart of the city was the location where executions took place. This space was chosen for its central location, but also for the visual qualities it possessed, which permitted maximum publicity. During the fourteenth century, as Charles Tilly noted, this square was also "an ideal location for parades, ceremonies, and insurrections."⁵⁸ Between 1648 and 1649, it was the headquarters of the Fronde. The Place de Grève also welcomed royal processions: on August 25, 1660, Louis XIV made his official entrance with his new wife, Maria Theresa of Spain. The square remained a place to pay tribute to the king during the seventeenth and eighteenth centuries—all the while continuing to welcome a variety of public acts of torture, including Ravailac's execution in 1610, horrifically conducted with pincers, lead, fire, and ultimately drawing-and-quartering.⁵⁹ Despite being associated with the death penalty, the Place de Grève nevertheless preserved its other uses, and its easy publicity was the only quality it shared with the other activities conducted there. It was publicity that informed the choice of location, without the belief that the square should have only one purpose. Executions took place there periodically without "defiling" the location; on the contrary, they tended to increase its value by designating it as a place of political power (which

was the reasoning behind many of its other uses, as well). According to Maxime du Camp, however, the Place de Grève only became the exclusive site of executions during the Consulate.⁶⁰ During the ancien régime, executions were held in other sites throughout Paris, most notably at the Croix du Trahoir, next to the Louvre—another important space for popular uprisings—but also at Les Halles, on the Place de la Bastille, or on random street corners.⁶¹ Paris did not possess any truly permanent execution sites. More specifically, in Paris executionary publicity was understood in the fullest sense: executions had to take place on a public square that had a reputation for allowing full visibility and maximum publicity. This permitted a kind of confusion between political action sites and execution sites, as the two shared a desire to attract attention and have an influence. Unlike what tended to happen during the nineteenth century, Parisian execution sites under the monarchy were endowed with symbolic political significance because they were locations where power was executed.

During the Revolution and the Reign of Terror, those in charge of choosing execution sites sought to depart from the traditions of the ancien régime; officials thus adopted many new sites and changed their minds about them just as quickly. According to Tilly, common law criminals were executed on the Place de Grève, whereas political executions occurred on the Place de la Révolution (formerly the Place Louis XV and today the Place de la Concorde).⁶² In essence, the Revolution held its executions in spaces that were already symbolic, so that they could be immediately seen as a sign of the regime's power. The deterritorialization of revolutionary execution sites can likewise be seen as a reflection of the wish to occupy all of Paris: by not being limited to the city's heart and the Place de Grève, the regime's power could visibly radiate throughout the urban landscape.

On April 25, 1792, the guillotine was first placed at the Barrière du Trône Renversé (now Place de la Nation). On August 21, 1792, it came to be housed on the Place du Carrousel in order to execute the participants of the August 10 insurrection; this was a strategic decision to have the scene of the crime become the site of atonement.⁶³ The guillotine stayed in this location until May 10, 1793, with the exception of Louis XVI's execution on January 21, 1793, on the Place de la Révolution. Although on May 10, 1793, the execution site was moved away from the Place du Carrousel, this was in fact the consequence of another change: on this date the National Convention left the Salle du Manège to set up in the Salle des Machines in the Tuileries. At the time, government officials could see executions unfold from their offices and had thus asked for this

location change.⁶⁴ Between May 10, 1793, and June 8, 1794, Paris's execution site became the Place de la Révolution. Unusually, on June 9, 1794, the guillotine was moved for just a few days to the Place Saint-Antoine (now Place de la Bastille). June 13, 1794, saw a return to the Trône-Renversé. And finally, for Robespierre's execution on July 27, 1794, the guillotine moved back a final time to the Place de la Révolution.⁶⁵ During 1794 the Place de Grève once again became the preferred execution site, insofar as the prisoners sentenced to death were incarcerated in the neighboring La Conciergerie. However, on January 20, 1832, the Seine prefect ordered executions to be moved to the Barrière Saint-Jacques for the convicts who were now housed at the Bicêtre Fort.⁶⁶ After several displacements during the nineteenth century, from 1909 until 1939, executions in Paris took place in front of the Santé Prison; from 1939 until the death penalty was abolished in 1981, executions moved inside the prison walls.

Let us invert our perspective here. Instead of wondering why an execution site located in front of a prison was more attractive than any other in terms of publicity, perhaps we should try to understand how the prison "naturalized" its environs as an ideal execution site. For it was indeed the prison's siren call that prevailed historically: the penitentiary space became the focal point for execution sites that had been scattered throughout the urban landscape for long stretches of time. The prison conquered the publicity of the death penalty just as its specter had begun to dominate the whole of criminal law during the same time. In the debates provoked by possible execution site changes, and specifically in the decisions made on these matters, the prison established itself in people's minds as a fundamental geographical and judicial element. The prison became the starting point for thinking about executionary publicity.

Incarceration was conceived in part as an alternative to corporal punishment and the death penalty,⁶⁷ so it is not surprising that the practice attempted to solve the issue of publicity by simply encompassing it. This shift confirms, at least for the nineteenth century, the hypothesis elaborated by Michel Foucault, according to which a "great confinement" began to sweep the nation at the end of the eighteenth century. In fact, the move toward confinement included not only individuals but also the executionary institution and its publicity. Executions were pulled into the general process that placed prisons at the heart of the penitentiary system, just as they were geographically and physically drawn via centripetal motion toward the prison-as-nodal-point. If the latter fuels the theory of a great confinement, Foucault's other hypothesis regarding a rupture in criminal law—namely, that incarceration came to virtually replace the death

penalty—deserves to be reexamined. Specifically, our concern is that this theory overlooks the changing forms of publicity and the process of depublicization, topics that should both be incorporated into any analysis of the death penalty's history and evolution.

Finally, the guillotine's "imprisonment" can be seen as the culmination of the steadily weakening ritualization that characterized executions at the end of the Third Republic. By moving around the urban landscape, executions could not remain intact; they were in fact affected by the different locations that they occupied. Depublicization engendered and went hand in hand with the deritualization of executions leading to the prison gates. The publicity that took shape there began to adopt many of the traits that would become its trademark after publicity was eliminated. Envisioning the penitentiary space as the culmination of the guillotine's many displacements thus means understanding how, among the different arguments for explaining why execution sites were changed, it was the prison that held the greatest sway.

The Naturalization of Penitentiary Dominance

For local officials, the prison seemed to present a solution to the hitherto unsolved location problem. It became evident that the penitentiary space and the executionary space should be contiguous. The growing closeness between sentencing, incarceration, and execution became combined with the increasing proximity between these respective locations. The end of deterritorialization thus came about when local authorities reintegrated the death penalty within the prison, seen as its source. According to the letter of the law, a prison's surroundings were public space of a kind, even if they did not represent a historical square or an important crossroads. On this basis, they were sufficient to authorize the minimum publicity required. In addition, designating prison environs as an execution site allowed officials to benefit from a preexisting legal space.

The prison imposed its presence as a technical solution. It was easier and more obvious to host executions in close proximity to the prison where the convict sentenced to death was held, rather than in an urban location that had no specific

relationship to the prison or prisoner. Without any particular consideration for the trajectory that the prisoner had to travel, it was only the distance as such between the two spaces that justified bringing prison and execution site closer together. The prison attracted executions, and this attraction remained unquestioned at times. For the execution of Joseph Cléménçon in 1891 in Besançon, the prosecutor indicated that he had signed an agreement with the mayor in order to erect the guillotine in front of the prison, without nonetheless informing the minister of justice of the reasons for this change in location.⁶⁸ In this implicit understanding between the prosecutor and the mayor, we can identify the two significant technical solutions revealing that choosing the carceral space was first and foremost a political choice: the alleged ease of controlling the space, and a diminished level of publicity.

Although it did not truly correspond to any particular local topography, the argument that prison surroundings were easier to monitor and control remained purely rhetorical and required no justification. The mayor viewed the prison as an inherently controlled space, without always explaining the causal relationship between prison and order. In his report to the minister of justice regarding the execution of Eugène Vinsonneaud in Angoulême in July 1898, the prosecutor wrote:

The local authorities did not wish to hold this execution, like Soulat's [on the previous May 9], on the Place du Champ de Foire [the fairground square], as this location is difficult to control due to its vast size and the many roads that lead there. It was consequently decided that the execution would take place on the square located in front of the prison gates, Rue Saint-Roch. The choice of this location ensured adequate publicity for the execution.⁶⁹

This report presents decisive elements that explain the prison's dominance over execution sites. Publicity would remain possible, despite a location that was difficult to access. It was only indirectly that the advantages of the penitentiary space became apparent: a location that was smaller than the Champ de Foire and in an underserved neighborhood. By announcing that the chosen space was close to the prison, the prosecutor spared himself the trouble of providing more detailed information. In particular, the presence of the infantry's barracks not far

from the prison was never mentioned; nor was the prison's proximity to downtown (the Faubourg de la Bussatte). What the prosecutor also failed to mention was that it was not merely a matter of controlling the execution site itself: the prison's proximity also eliminated the need to secure the convict's trajectory from the prison to a remote execution site. This had been the case for Georges Soulat's execution in May 1898, where not only had the trajectory and the final site required monitoring, but security had been forced to deal with a large crowd of spectators. At that time, Angoulême had not seen an execution for close to twenty years. Interest in Soulat's execution had consequently drawn what the prosecutor termed a "considerable crowd"; *Le Petit journal* estimated ten thousand spectators.⁷⁰ The crowds were kept far away from the guillotine "by a double flank of infantrymen and artillerymen on horseback."⁷¹ The choice to hold Vinsonneaud's execution close to the prison was thus made in the hopes of discouraging a large attendance and of arranging publicity as a function of the prison's presence as a site of order. Attempts to designate execution sites close to prisons thus sought to manage the degree of publicity available. On an open and weak public square, executions would be highly attended, but carried out next to a building that was synonymous with a lack of freedom might make them seem less attractive. Proximity to a prison was designed to act as a foil, simultaneously capable of releasing and reprising executionary publicity in one fell swoop. A journalist's account of the Vinsonneaud execution emphasized that there were far fewer people in attendance than for Soulat's execution,⁷² but, as always, the prosecutor merely observed that no incidents had occurred.⁷³ Nevertheless, the fact that the latter underscored the change in location could lead us to believe that the penitentiary presence significantly reduced public curiosity.

Whether the prison was physically centrally located or not, it remained a peripheral space in the figurative sense. Although this did not mean that prisons were inherently easier to monitor and control, this was the belief that informed many identical choices throughout France. By opting for the penitentiary space, the duration of public exposure was shortened. For local communities that were reluctant to organize the publicity of executions but were legally bound to do so, holding executions next to a prison was a way to ensure a shorter publicity window, as the time separating the convict's exit from prison and his execution was drastically curtailed. This phenomenon prompted some politically curious results: although the prison's attraction of executions encouraged a mere reduction in publicity—understood as a temporal reduction—in reality, on the local scale this translated into a defeat for legal publicity.

The widespread move toward hosting executions near prisons intersected with the wish of authorities to stop organizing public executions. At the same time, the movement also provided the means to limit publicity. The general trend toward prison surroundings as the predominant choice of execution sites is proof that local officials dreaded too much publicity. But because it was not possible to prohibit publicity, authorities elected to curtail it. The historical victory of the prison and its surroundings as the default execution site was also linked to the power of central authorities, who ceaselessly pressured prosecutors to make executions the most discreet, perhaps even the most clandestine, possible. This pressure in turn decreased publicity even more. In this regard, any local choice to fight against prison dominance engendered a conflict with the judiciary and marked the beginning of a national polemic. In 1909 the prosecutor of the Republic, with the support of the attorney general, asked the mayor of Montbrison to host the execution of Henri Riboulet in front of the prison gates, where Ravachol's execution had taken place in 1892. According to local newspapers, however, Montbrison's mayor chose the Place Saint-Jean because he yielded to the demands of neighboring café owners, who hoped that the execution would mean good business.⁷⁴ And it did: the execution attracted one thousand spectators.⁷⁵ The correspondence exchanged between the public prosecutor's office and the Directorate for Criminal Matters and Pardons called the mayor's decision "regrettable."⁷⁶ A few months later, on May 27, 1910, Francis de Pressensé, the president of the Human Rights League (Ligue des droits de l'homme), sent a letter of protest to the minister of justice. In this letter, he decried the scandals caused by the publicity surrounding Riboulet's execution. He also criticized the choice to place the guillotine on Place Saint-Jean, writing that "this square is quite far from the prison. It is vast and allowed a large crowd to witness all the gory details of the spectacle." Pressensé also claimed to be shocked that cafés were allowed to remain open during the execution, as this authorization engendered a "night of libations." The end of his letter reveals the extent to which publicity was no longer inherently associated with executions and how eagerly the authorities tried to suppress it:

The mind boggles at this picture of a city making a profit on the somber eve of an execution. It is especially shocking that the authorities were so remiss with regard to their police duties and the matter of public morality.... This kind of spectacle will morally taint all good people and upright citizens. For me, it is imperative to draw your attention to the extreme seriousness of the problem so

that you can make an informed decision and take the appropriate measures to prevent undesirable consequences.⁷⁷

The mayor of Montbrison's attitude remained fairly uncommon, however. Like those who opposed executionary publicity and the death penalty in general, public prosecutors tended to adopt penitentiary surroundings as a solution to overly extensive publicity. These cases involved an objective alliance between the technical goals of the local community and the ambitions of those fighting to abolish the death penalty. To wit: when authorities exiled executions to the front of the prison gates, this was first and foremost to ensure easier management of the execution and better crowd control. These objectives overlapped with the hopes of those objecting to the death penalty, who, unable to demand that executions be held behind closed doors, instead fought for the least amount of publicity possible.

Penitentiary dominance became institutionalized when the objectives of central authorities—who gave up on executionary publicity as a technology of power and simply preserved the death penalty without publicity—overlapped with the goals of local authorities, who were burdened by publicity and kept displacing execution sites to minimize the inconvenience. Both groups had developed a problematic relationship to executionary publicity, and the prison became a point of convergence, thus attesting to incarceration's supremacy in criminal law and the government's desire to transition to invisible punishments. The abandonment of public execution spaces after 1939 without the corresponding elimination of the death penalty confirms that it was a form of visible power that the government could now do without. For the government, increasing proximity to penitentiary spaces was a qualitative leap allowing it to occupy public spaces with symbols different from those associated with (increasingly rare) executions, whose exemplarity was moreover becoming less and less significant.

The deterritorialization of execution sites simultaneously illustrated the impossibility of their permanent designation, as well as the danger inherent to the political appropriation of urban spaces. For those in power, each execution was a contradictory event during which they had to mold public space in order to enact authority, thus spatially separating the execution site from the rest of the surrounding city. At the same time, authorities had to excise the site from its context and superimpose political significance over the urban landscape, thus

reconnecting “the street and the Court,” as Isaac Joseph once wrote.⁷⁸ This process made every execution an uncertain one, as authorities returned to lay claim on a location that they no longer possessed, forcing the spectacle of death upon individuals who no longer tolerated such morbid pageantry.

Unable to completely impose themselves as seats of power and authority, as separate and self-established spaces taking full responsibility for what they publicized, execution sites in fact increased the difficulty of presenting executions as political rituals and authoritative acts (see table 3).

Table 3 Nonexhaustive summary of main execution sites

CITY OR TOWN	LOCATION, DATES, AND/OR SITUATION
Aix-en-Provence	Place des Prêcheurs (fifteenth century) Boulevard de la Plate-Forme (eighteenth century) Cours, Rue Saint-Lazare/Rue de la Masse (1789) Near the barracks (nineteenth century) Place des Prêcheurs (after 1818) Place de la prison (after 1878)
Albi	Place Lapérouse (nineteenth century), near the prison
Amiens	Route d'Albert (twentieth century), near the prison
Angers	Saint-Nicolas pastureland (nineteenth century) Place de la prison (after 1877)
Angoulême	Place du Champ de Foire (nineteenth century) Place de la prison (after 1898)
Arras	Place du Marché aux Chevaux (nineteenth–twentieth centuries)
Auxerre	Near the prison (twentieth century)
Avesnes, near Douai	Near the prison (nineteenth century)
Avignon	Near the Sainte-Anne prison (twentieth century)
Bastia	Place d'Armes (nineteenth century) Near the prison (twentieth century)
Bayeux	Place Saint-Patrice (nineteenth century)
Bayonne	Place de la Cathédrale (fifteenth–eighteenth centuries) Place de la Liberté (1793) Glacis of the Lachepaillet rampart (nineteenth century)
Beaucaire	Place de l'Hôtel de Ville (nineteenth century) Place de la Charité (twentieth century)
Beauvais	Place de Franc-Marché (nineteenth century)
Belfort	Square behind the Vauban barracks (twentieth century)
Besançon	Place des Jacobins (nineteenth century) Place Chamars (nineteenth century) Place de la prison (nineteenth century)
Béthune	Place du Beffroi (nineteenth century) Champ-de-Mars (nineteenth century) Near the prison (twentieth century)
Blois	Place de la République (nineteenth century) Place du Champ de Foire (nineteenth century), near the prison
Bordeaux	Place nationale (place Gambetta) (1789) Place Saint-Julien (nineteenth century) Champ du Repos (nineteenth century) Cour du Fort du Hâ (twentieth century)

(continued)

CITY OR TOWN	LOCATION, DATES, AND/OR SITUATION
Boulogne-sur-Mer	Square in front of the courthouse (twentieth century) Near the prison (twentieth century)
Bourg-en-Bresse	Place d'Armes (nineteenth century)
Bourges	Place du Palais de Justice (nineteenth century)
Caen	Place Saint-Sauveur (eighteenth century) Fossé/Promenade Saint-Julien (nineteenth century) Route de Bayeux (twentieth century), near the prison
Cambrai	Grande Place (nineteenth century)
Carpentras	Place de l'Hôpital (nineteenth century) Place d'Inguibert (twentieth century), near the prison
Châlon-sur-Saône	Place Ronde (nineteenth century) Place du Marché (1873) Place Ronde de la Citadelle (nineteenth century), near the prison
Charleville-Mézières	Place Saint-Julien (nineteenth century) Near the prison (twentieth century)
Coutances	Near the prison (twentieth century)
Dijon	Near the prison (nineteenth–twentieth centuries)
Douai	Place Saint-Vaast (nineteenth century) Near the prison (twentieth century)
Draguignan	Near the prison (twentieth century)
Dunkerque	Rue des Vieux-Remparts (twentieth century), near the prison
Epinal	Near the prison (twentieth century)
Evreux	Place du Bel-Esbat (1878) On the Route de Caen (nineteenth century) Fallow land surrounding Buisson (twentieth century)
Grenoble	Near the prison (twentieth century)
Hautefaye	In the village center (nineteenth century)
Laon	Champ Saint-Martin (eighteenth–nineteenth centuries) Near the prison (twentieth century)
Laval	Place du Champ de Foire (nineteenth century) Place du Palais (nineteenth century), near the prison
Le Mans	Place du Vert-Galant (twentieth century), near the prison Near the Conseil de guerre (War Tribunal) (1912) Place du Vert-Galant (twentieth century), near the prison
Le Puy	Place de Breuil (nineteenth century)
Lille	Place du Palais de Justice (twentieth century), near the prison Porte de Béthune (1938)
Limoges	Near the prison (twentieth century)
Loos	Place Thiers (nineteenth century)
Lyon	Place Bellecour (eighteenth century) Place des Terreaux (nineteenth century, 1812–1827)

(continued)

CITY OR TOWN	LOCATION, DATES, AND/OR SITUATION
	Place Louis XVIII (today, Place Carnot) (1827–1853)
	Near the Hippodrome (nineteenth–twentieth centuries), near the prison
Marquise, near Saint-Omer	Place du Marché aux Bestiaux (nineteenth century)
Marseille	Esplanade Saint-Michel (nineteenth century)
	Place Sébastopol (nineteenth century)
	Near the Chave prison (nineteenth–twentieth centuries)
Mclun	Near the cemetery roundabout (nineteenth century)
	Near the prison (nineteenth–twentieth centuries)
Metz	Near the prison (twentieth century)
Montauban	Place Montauriol (nineteenth–twentieth centuries)
Montbrison	Place Notre-Dame (nineteenth century)
	Place de la Prison (1892)
	Place Saint-Jean (nineteenth–twentieth centuries)
	Near the prison (twentieth century)
Mont-de-Marsan	Near the prison (twentieth century)
Montpellier	Place Saint-Lazare (1854–1892)
	Place de l'Hôpital général (1892)
Morlaix	Place Saint-Nicolas (nineteenth century)
Nancy	Champ de Mars (nineteenth century)
	Near the prison (nineteenth–twentieth centuries)
Nantes	Place La Fayette (twentieth century), near the prison
Nevers	Near the prison (twentieth century)
Nice	Near the shore (nineteenth century)
Nîmes	Place de l'Esplanade (eighteenth century)
	Place des Carmes (eighteenth century)
	Place Neuve des Arènes (1818–1856)
	Promenade du Cours Neuf (nineteenth century)
Orléans	Near the prison (twentieth century)
Quimper	Place du Marché aux Bestiaux (nineteenth century)
Paris	Place de Grève (1310–1832)
	Barrière du Trône-Renversé (April 1792)
	Place du Carrousel (August 1792–May 1793)
	Place de la Révolution (January 21, 1793; May 1793–June 1794)
	Place Saint-Antoine (June 1794)
	Barrière du Trône-Renversé (June 1794)
	Barrière Saint-Jacques (1832–1851)
	Rond-Point de la Roquette (1851–1909)
	In front of the Santé prison (1909–1939)
Pau	Near the prison (nineteenth century)
Périgueux	Place de la Prison (nineteenth century)
	Place Belleyme (twentieth century)
Perpignan	Place de l'Arsenal, or Place des Esplanades (nineteenth century)

(continued)

CITY OR TOWN	LOCATION, DATES, AND/OR SITUATION
Pibrac, near Toulouse	On the outskirts of the village (nineteenth century)
Poitiers	Place Sainte-Anne (nineteenth century)
Privas	Near the prison (twentieth century)
Reims	Place du Marché aux Chevaux (nineteenth century)
	Near the prison (twentieth century)
Remiremont	The so-called la Tour Carrée square (nineteenth century)
	Rue Méline (twentieth century), near the prison
Rennes	Champs de Mars (nineteenth century)
Riom	Near the prison (nineteenth–twentieth centuries)
Rodez	Place du Palais de Justice (twentieth century)
Rouen	Place Bonne-Nouvelle (twentieth century), near the prison
Saint-Brieuc	Place Necker (nineteenth–twentieth centuries), near the prison
Saint-Dié	Near the prison (nineteenth century)
Saintes	Near the prison (twentieth century)
Saint-Flour	Place d'Armes (nineteenth century)
	Place du Champ de Mars (nineteenth century)
	Near the prison (twentieth century)
Saint-Gaudens	Champ de Foire (twentieth century)
Saint-Mihiel	Near the prison (nineteenth–twentieth centuries)
Saint-Omer	Place du Marché aux Bestiaux (nineteenth century)
St. Pierre les Calais, near Douai	Place Crevecœur (nineteenth century)
Saint-Pol	Place du Marché aux Porcs (twentieth century), near the prison
Saint-Rambert, near St-Etienne	Parcelle des Unchats (nineteenth century)
Sartène	Place de Porta (nineteenth century)
Strasbourg	Near the prison (twentieth century)
Toulouse	Place du Salin (eighteenth century)
	Port-Garaud (nineteenth century)
	Near the prison (twentieth century)
Tulle	Place du Champ de Mars (nineteenth century)
Valence	Place Saint-Félix (nineteenth century)
	Near the prison (nineteenth–twentieth centuries)
Vannes	Place Nazareth (twentieth century)
Versailles	Place d'Armes (eighteenth century)
	Rond-Point du Roi (1810–1845)
	Pont-Colbert (1847–1913)
	Place des Tribunaux/Louis Barthou (1913–1939), near the prison
Vesoul	Near the prison (nineteenth century)
	Place du Champ de Foire (nineteenth century)
	Near the prison (twentieth century)
Vitry-le-François	Place de la Maison d'Arrêt (twentieth century)

Note: It would be impossible to obtain an accurate number of the countless gallows, gibbets or “patibulary forks” erected by local lords. Likewise, an exhaustive account would also need to include the various urban exposure sites, as well as all the executions conducted at the scene of the crime before the nineteenth century. This long list is therefore incomplete and only serves as a guideline.

CHAPTER 4

The Liturgical Crisis of Executionary Rituals

In this chapter, rather than unmasking the hidden functions, symbols, and political motivations behind executionary rituals, we focus on examining the progressively different shapes that the latter took. These changes unfolded amid preexisting tensions between the political and legal justifications for the death penalty and the legal requirement to publicize executions. These tensions had a direct effect on the ceremonial nature of executions, whose composition was gradually altered over time. It is thus possible to analyze the meaning behind the various changes made to executionary rituals as being part of a larger movement toward an ever more restricted form of publicity. Accordingly, we can interpret executionary rituals both as a modality of the practical process of execution and as a phenomenon relentlessly shaped by an inverse movement attempting to deinstitutionalize punitive publicity.

Our approach was chosen after taking into account the critiques that have been made in the social sciences, and especially in political science, regarding the analysis of rituals. In fact, it seems that many researchers had neglected to pay attention to the form of rites, and ritual action itself, concentrating instead on the manipulation of symbols used during rites as well as the ultimate meaning or political functions of a particular ritual (the latter often being disconnected from the form adopted).¹ On the contrary, the main disadvantage of relying on a strictly formalist perspective is that the observer becomes no more than a scribe, merely recording ritualistic forms and the potential representations that actors have of them. The observer thus neglects to ask questions about the initial choices behind a particular ritual or about various phenomena of deritualization that may affect it. Studying only the form of rituals means condemning them to reification, rather than approaching them as elements shaped by changes in politics, cultural sensitivities, or representations. Consequently, a focus on ritual forms must be complemented by taking into account the permanent interactions that help to mold rituals, as well as the changes—even minor ones—that affect

rituals and their publicity.

Alongside a repertoire of mandatory gestures, negative imperatives regarding performance emerged simultaneously, helping to modify the forms of publicity. Public opinion challenging existing ritual forms informed the sociopolitical representation of executions and engendered a crisis of executionary liturgy. Historically, this crisis presented itself as the depublicization of the death penalty, the political investment in executionary publicity leading elite members of society to push for its elimination or to envision alternative publicity regimes. At the end of the Second Empire and throughout the Third Republic, numerous legislative bills were proposed either to alter or eliminate the publicity requirement for executions, three of which were ultimately voted on by the Senate.

Publicity was no longer seen as indispensable, and new, informal channels of communication were used in an attempt to restrict its scope. The effects of these methods were especially visible in the process that sought to simplify the special legal case of parricide. Nevertheless, despite the emergence of this new public sensitivity to violence, the projects adopted in the Senate were not passed to a vote in the Chamber of Deputies. In practice, however, the fact that changes in the use of public space were ultimately accepted can be seen in various attempts to imagine what kind of publicity regime could replace the direct portrayal of executions.

Neutralizing the Publicity Principle

A number of formal inventions concerning executionary protocol were born during the revolutionary period, when the guillotine was introduced into the penal system. The ancien régime had already placed executionary publicity at the heart of its system of enforcement (the pillory, the whip, a variety of spectacular torture procedures). At the time, a sanction could itself be the sole form of publicity, as was the case with the “amende honorable,” in which the offender, stripped to his shirt and holding a candle, recited a prayer of contrition in front of a church, begging God and the king for pardon.² When the guillotine was standardized as the primary method of execution, it put an end to various

other practices used during the ancien régime, in particular the differences in execution modes depending on the class to which the convict belonged. Contemporary spectators of the various execution methods employed by the monarchy were often shocked by their length and degree of sophistication. The Revolution thus sought to abolish torture and its special temporality by adopting a machine that rejected spectacular suffering. The guillotine embodied the triumph of humanitarian sentiment, which was not only concerned with the convict's condition during the execution but also aimed to accelerate the rhythm of the punitive liturgy. The guillotine's acceptance thus reflected the need to "civilize" the death penalty by introducing modern reforms into the penal system. These attempts to modernize punishment in turn reflected the cult of legal reasoning, the notion of proportionality between crimes and punishments, and technical innovation. The guillotine allowed the rejection of medieval torture and the legal need to maintain the death penalty to coexist.

During the Third Republic, however, new formal inventions disrupted the executionary routines of the nineteenth century. Although depublicization did not ultimately succeed until 1939, many earlier signs hinted at this shift. On the one hand, the prohibition of the mechanized and photographic reproduction of executions showed a desire to preserve the unique "here and now" nature of ritual and to reject its budding media coverage. On the other hand, the move toward depublicization was also illustrated by gradual changes in execution schedules over more than seventy years. The hour scheduled for executions was pushed earlier and earlier, revealing the desire to hold executions at night and thus limit access to a spectacle that had become barely tolerable.

Mechanized Representation

Throughout the first half of the twentieth century, the state instructed authorities to prohibit spectators, and especially journalists, from taking photographs of executions. At the end of the nineteenth century, the Ministry of the Interior began to ask prefects to limit the number of authorizations for access inside "the house of justice,"³ as these allowed journalists to witness the convict as he awakened and the preparations for the execution. These were steps devoid of solemnity and media coverage, which the public was not supposed to observe.

In addition, the press was not supposed to stage the elements that were public in the form of photographs or films. Taking images of executions was officially prohibited in 1909, when the quadruple execution of the Pollet gang members took place in Béthune. Restrictions on photographic reproductions were seen as a necessary condition for holding a new execution, after three years of the guillotine's absence. Recounting these four executions, *Le Petit* journal did not neglect to mention that the Ministry of Justice had asked Béthune's prosecutor to "take the necessary measures to ensure that the execution of the four gang members could not be reproduced by any photographic or cinematographic apparatus."⁴ Far from respecting the recommendations of their superiors, and overwhelmed by public interest in the executions, the subprefect and prosecutor of the Republic distributed hundreds of passes, allowing a "noisy enthusiasm" to proceed unabated,⁵ and they apparently did not restrict photography at all. The unrest that accompanied this multiple execution immediately revived the debate in the press surrounding the possibility of eliminating publicity. The same day as the execution (January 11), the Ministry of the Interior sent a telegram to all metropolitan prefects as well as the colonial head of the government in Algeria to inform them that during the Béthune executions, images might have been taken "by subterfuge or surprise, for use in cinematographic performances."⁶ Concomitantly with the death penalty's return to the public eye, the new attention paid to executionary photography signaled that central authorities were taking into account an extra dimension of publicity. The technical progress that this period witnessed—the development of photography and cinema—offered new ways to reproduce executions and increase their diffusion without restrictions on place or time. The publicity invented by these new processes began to compete with the existing, legal forms of coverage. It allowed a greater number of people to witness executions whose publicity had theretofore remained limited in scope. Reproducing executionary images threatened adding a certain degree of realism to journalistic accounts, perhaps even rivaling direct access to executions.

The prefectures were in charge of delivering the ministry's instructions to local mayors. And individual municipalities were also required to ensure that films depicting executions were forbidden and deprived of all publicity, in particular in the case of films "stolen" during the execution of the Pollet gang members. For example, the Gard prefecture stated in a message written on January 13, 1909:

The President of the Council, the Minister of the Interior, just informed me that he believes it is indispensable to radically prohibit all public representations of cinematographic works reproducing execution scenes, in particular the Béthune executions. These representations are in fact likely to provoke violent protests that could disturb the public peace.⁷

Arguing for public order allowed the mayor to resume his functions and gave him the power to police publicity well after the execution in question was over. According to the prefecture's instructions, cinematographic spectacles were deemed equivalent to "variety shows,"⁸ which were often censored by the mayor.

After 1909 the authorities in charge of executions began to track down individuals who were using photo cameras. In Saint-Dié on September 24, 1910, for the execution of Adrien Pierrel, convicted of matricide, La Croix reported that "curious spectators bearing photo cameras, and who had perched on a nearby roof were forcibly removed using a fire pump."⁹ In Versailles in 1913 for Renard's execution, the police intercepted and arrested a technician from Pathé Journal who was trying to film, and ultimately destroyed his film roll.¹⁰ Nevertheless, such films continued to be made and in Lyon in 1912, three directors of the Central Cinematographic Agency subpoenaed the mayor in front of the Council of State for abuse of authority, but in the end their petition was rejected.¹¹ The Ministry of the Interior was once again forced to publish a circular on April 19, 1913, which required mayors to prohibit the exhibition of moving pictures representing criminal acts or capital punishment.¹² On April 28, 1913, one week after the execution of the Bonnot gang, a prefectural order in Gard—echoed in Paris by a similar one issued by the police commissioner—stipulated in its first article: "Prohibited throughout the Gard department are any cinematographic representations of recent crimes and executions, as well as any other representations of a barbaric or repugnant nature."¹³ From that point on, every execution was an occasion to renew the ban on photographers and camera operators on the premises. For the execution of Henri-Jean Martin in Versailles in 1915, the police commissioner informed the mayor of the measures that had been taken: "Public notice shall be given to all those permitted admission that photographic or cinematographic processes are strictly prohibited, and no one bearing a camera shall be granted entry onto the premises."¹⁴ But these instructions had little effect, and photography remained a constant at all executions. This was such a concern that the Chancellery had to disseminate yet

another circular, dated January 20, 1922, repeating once again that “the carrying and use of photographic or cinematographic equipment or of any other means of reproducing the execution scene are strictly prohibited.”¹⁵ And yet, in 1939, during Eugène Weidmann’s execution, journalists spotted streaks of magnesium across the sky.¹⁶

In the various aforementioned circulars, the ban on taking images was not always well justified, instead indirectly illustrating the desire to prevent visual fragments from escaping execution scenes. But this was not mere preventative censorship of photography; the explanations behind this proscription must be understood within the political context that surrounded executionary publicity. These explanations are threefold. First, from the perspective of the political control of executionary publicity, banning photographic reproductions was a means to discreetly shield executions from the public eye. Taking images thus ran contrary to the state’s desire to keep executions inconspicuous. Although executions were subject to publicity, their influence was supposed to remain minimal and be stopped from spreading nationally. The ban could also be understood from an emotional perspective, the central authorities hoping to limit the emotional effect of executions in time, and avoid having their intensity spill over to other locations. Although executions could not be relegated to “behind the scenes of social life,”¹⁷ prohibiting photography at least guaranteed that emotions would be contained.

Second, since the authorities considered that executions were first and foremost rituals of the death penalty, their representation could not be allowed. Executions could be publicized while they unfolded, in the presence of spectators who authorized and legitimized them, but there was subsequently no need to offer up executionary images to the public at large, insofar as the main requirements for publicity had been fulfilled. The presence of an on-site audience, functioning metonymically as a sort of public assembly, excluded the increased presence of a public that had not attended the execution and to which reconstructed images gave access. Executionary rituals thus existed first and foremost in the copresence between the condemned criminal and the public, without the mechanized reproduction of these images. Moreover, executionary rituals ultimately required a palpable experience that representation could not re-create.

Third, the rejection of executionary imagery can be analyzed via the relationship that the authorities established between executions and their representation, especially theatrically or cinematographically, as the former sought to control

both in one fell swoop. The authorities wanted to protect executionary rituals from mechanized reproduction, newly made possible by certain technological advances. Walter Benjamin described the characteristics of these advances just a few years after these first attempts to ban executionary imagery.¹⁸ Mechanized representation was seen as stripping something away from execution, just as it did to a work of art: “its presence in time and space, its unique existence at the place where it happens to be.”¹⁹ The unique existence of an execution prevented any reproduction or copy. By rejecting executionary imagery, the authorities sheltered executionary rituals from the inauthenticity of photography and the discrediting action of mass reproduction. Instead, executionary rituals preserved their unique presence in space and time, which Benjamin called their “aura.”²⁰ The prohibition against executionary photography and filming should thus be understood as a protective measure seeking to prevent the budding deritualization of executionary rituals as threatened by mechanical reproduction.

In short, executions had to be shielded from the public eye as much as possible. In addition to banning mechanical reproductions, the authorities also began to move up the hour of executions, gradually bringing them into the night.

Moving the Ritual into the Night

The importance of execution schedules must be seen in relation to the social practices and representations of time, in particular the day/night divide that existed during the Third Republic. For workers, nighttime was devoted either to working (rather than celebrating) or enjoying a modicum of free time alone.²¹ The higher classes, however, pushed their evening activities later and later, newly enjoying the nocturnal city. The relationship to the urban night changed with the development of public lighting, which beautified the city and helped to ensure the safety of its inhabitants.²² For the higher classes, if executions took place at the break of dawn, their evening festivities could in fact end up there. Even if midnight remained a mythical threshold, beginning in 1860 the “evening” no longer had an inevitable limit.²³ Many accounts from that period mentioned the use of executions as the crowning moment to a festive evening begun the night before. Elegant members of the bourgeoisie flocked to the execution site “after the evening meal,”²⁴ and rented windows or used their

passes to get as close as possible to the spectacle. For Jean-Baptiste Troppmann's execution, the fact that bars, wine merchants, and bakeries remained open very late and that throngs of people were in attendance meant that on the Place de la Roquette in Paris "at two in the morning, it almost looked like the beginning of the evening," according to one editor of *Le Figaro*.²⁵ But the black of night did not entirely lose its frightening aspect or its ability to draw out figures that remained hidden during the day. When the execution of Charles Marchandon was announced in Paris, *Le Cri du peuple* spoke of "the special public that comes above ground around four in the morning and, adding a festive touch to the lengthy wait with obscene songs, gathers around the Place de la Roquette on execution days."²⁶ Daybreak, however, was still the purview of workers and manual laborers, while the higher classes slept in. Nighttime had not yet become—as would be the case after the Second World War²⁷—the absurd underbelly of daytime, for which precisely opposite activities had to be invented. For some time, the night remained vague and undefined, welcoming a certain level of romantic freedom.

Throughout the nineteenth century, and even more so in the twentieth, however, the hour of executions was continually moved up. Very quickly, it became impossible to hold an execution after 8:30 a.m., let alone during the afternoon, as had been the case during the first half of the nineteenth century and earlier. This transformation in executionary schedules was never questioned, and can be understood as reflecting the evolution of public opinion with regard to the publicity of executions. The choice to hold executions increasingly earlier reveals the process of depublicization that threatened the death penalty. By executing criminals at such early hours, the political authorities used a form of leverage that not only allowed them to exclude the higher classes (supposedly still asleep) from the spectacle but also to restrict the possibility for all to attend the execution, by holding it at an improbable hour. The scheduling of executions thus illustrated the public's shifting attitude.

The move toward earlier execution times could be seen even before 1870. During the *ancien régime*, the desire to grant executions significant publicity had led authorities to prefer the afternoon. For example, in Aix-en-Provence during the seventeenth century, executions were held at 2:00 p.m. on the same day that the judgment was handed down.²⁸ This practice remained intact until the beginning of the nineteenth century. Likewise, in Nîmes, out of thirty public executions that took place during the nineteenth century, almost all of those held before 1856 took place in the late morning (11:00 a.m.), and only two (at the

beginning of the century) took place in the afternoon. After 1856 executions were more likely to unfold in the early morning (6:00 a.m. or 7:00 a.m.).

Studies and accounts vary with regard to when exactly executions moved from the afternoon to the morning. In Paris, according to Maxime Du Camp, it was when the Barrière Saint-Jacques became the main execution site in 1832 that executions were officially relegated to daybreak rather than the afternoon, primarily to avoid public disturbances:

Instead of holding executions at 4 o'clock in the afternoon, when everyone was around and could attend, instead of letting the town criers walk up and down the streets announcing the time of the execution, absolute discretion was imposed on officials and executions were scheduled to take place at the break of dawn.²⁹

The abbot Moreau, the chaplain of La Roquette prison, also confirmed this date.³⁰ Victor Hugo likewise highlighted the attempts to conjure away executions that began with this change in location;³¹ this transformation is also indicated in a number of studies to which we have access today.³² Consequently, it appears that during the July Monarchy, and strangely enough after 1832, the death penalty was applied between 4:00 a.m. and 6:00 a.m. But other authors such as Joseph Reinach argue that it was during the Second Republic, in 1848, that execution schedules began to be pushed up in an attempt to hide the violence of the scaffold.³³ It is true that a number of executions between 1832 and 1848 took place substantially later than 6:00 a.m.—Lacenaire's execution was held at 8:45 a.m., for example.³⁴ According to Simone Delattre, during the July Monarchy Parisian executions generally took place between 8:00 a.m. and 8:30 a.m. It was only once the guillotine was transferred to La Roquette in 1851 that executions began to be held around 6:00 a.m.³⁵ In reality, the legal texts regarding execution schedules are lacking. The decree issued on January 20, 1832, by the prefect of the Seine contained no indications regarding time. In its circular dated January 20, 1922, the Ministry of Justice mentioned that the choice of scheduling belonged to the prosecutor, but added that executions shall be held "at daybreak, before it is fully light out."³⁶ This reminder suggests that early morning executions had not yet become the norm, and that when executions did not take place at night, they tended to occur between 4:00 a.m. and 8:00 a.m. (rather than

just between 4:00 a.m. and 6:00 a.m.). This trend can be seen in both Paris and Lyon. However, Lyon also illustrated a shift that ran contrary to the national trend: executions there were held gradually later (at the beginning of the period cited, they took place around 4:00 a.m., but at the end they occurred around 6:30 a.m.).

On the contrary, in Paris the national tendency was embodied perfectly. During the Third Republic, executions at first took place between 4:00 a.m. and 8:00 a.m. and then began to shift ever earlier, to between 3:00 a.m. and 7:00 a.m. This scheduling shift continued when executions resumed in 1909, taking place between 3:00 a.m. and 4:00 a.m. (a time slot that had been very rare before this date).

Throughout France, between 1870 and 1939, a corpus of 430 executions (see figures 2 and 3)³⁷ confirms that the end of presidential pardons in 1909—after three years with no executions—marked a shift toward a more nocturnal schedule. Many executions continued to take place in the morning, between 4:00 a.m. and 7:00 a.m., but a growing number were held between 3:00 a.m. and 4:00 a.m., which was unprecedented before 1909. In practice, then, the authorities were trying to obscure executions by holding them in the dead of night. The legal publicity requirement was respected, but clever scheduling allowed depublicization to occur despite the continued existence of executions. Unable to legislatively abolish publicity, the goal of public authorities was first and foremost to gradually eliminate daytime executions.

The repeated attempts to shift executions to a nighttime schedule—or at least to the threshold of the day/night divide—were not entirely successful, because part of the debate surrounding publicity specifically targeted the fact that executions were still occurring while it was light out. This relative failure was largely due to seasonal restrictions that public officials were powerless to change. In fact, as the sun rose rather early in the summer and rather late in the winter, for almost half of the year holding executions in the dark would mean holding them in the evening, which was no longer acceptable due to changing city mores. Even if executions took place very early in the morning, darkness was already lifting and the spectacle risked becoming highly visible. Consequently, some prosecutors were concerned with the scheduling issue only if it helped an execution to be successful. For the execution of Antoine-Charles Angelicus, convicted of infanticide, in St. Pierre les Calais (near Douai) in 1884, the prosecutor chose the hour of the execution by consulting archival materials. He wrote to the minister

of justice to inform him of the decision to hold the execution at 7:30 a.m.: “I came to this decision after having consulted my office’s archives on the subject and I found that an execution that took place in Douai on December 20, 1876, was held at 7:22 a.m.”³⁸

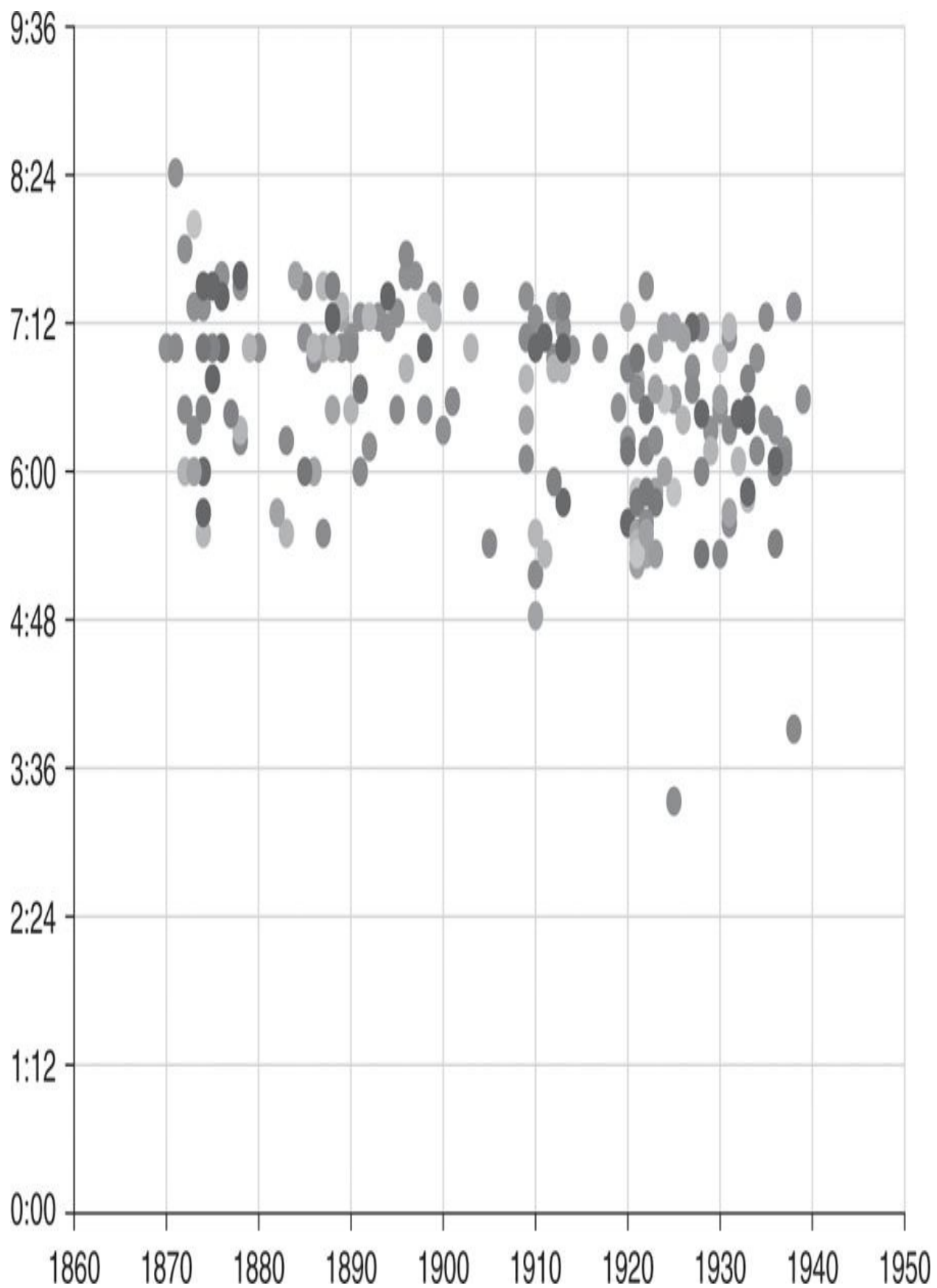


FIGURE 2. National changes in the hour of executions, 1870–1939, fall and winter (n = 185 executions)

Since both of these executions took place in December, the choice of a morning time slot in fact guaranteed an almost nocturnal operation. Nevertheless, this would not prevent workers from attending, which the prosecutor specifically dreaded, and therefore demanded a sizable police presence. In December 1889 for the execution of Gustave Lefleche, convicted of having killed an elderly couple with a machete, *Le Petit Journal* remarked about the difficulty of seeing the execution, because it was still practically dark out.³⁹ In fact, as for Angelicus, the execution was held at 7:00 a.m.⁴⁰ In other cities, the time slot chosen was the result of a conflict between the prosecutor and the executioner. The former wished to limit publicity by holding executions at night or at dawn, but the latter refused to act if his visibility was poor. This power struggle was evident regarding the execution of Aimé Mautin in December 1878 in Alençon. The prosecutor informed the minister of justice that he had moved the execution up to 7:30 a.m., instead of 8:00 a.m. as preferred by Roch, the executioner, on the one hand to prevent a large crowd from attending and on the other because he “believed that it was sufficiently light at seven-thirty in the morning for an execution to be held.”⁴¹ Although the execution was ultimately delayed by five minutes, this was due to the snow that hindered the convict’s transfer from the prison to the scaffold. In the springtime, executions had to be held even earlier. For Michel Campi’s execution in 1884 in Paris, 5:00 a.m. was selected as the appropriate time. Ultimately, however, the police commissioner explained that the execution was moved up to 4:45 a.m. and “that anyway, it had been fully light out for fifteen minutes already.”⁴²

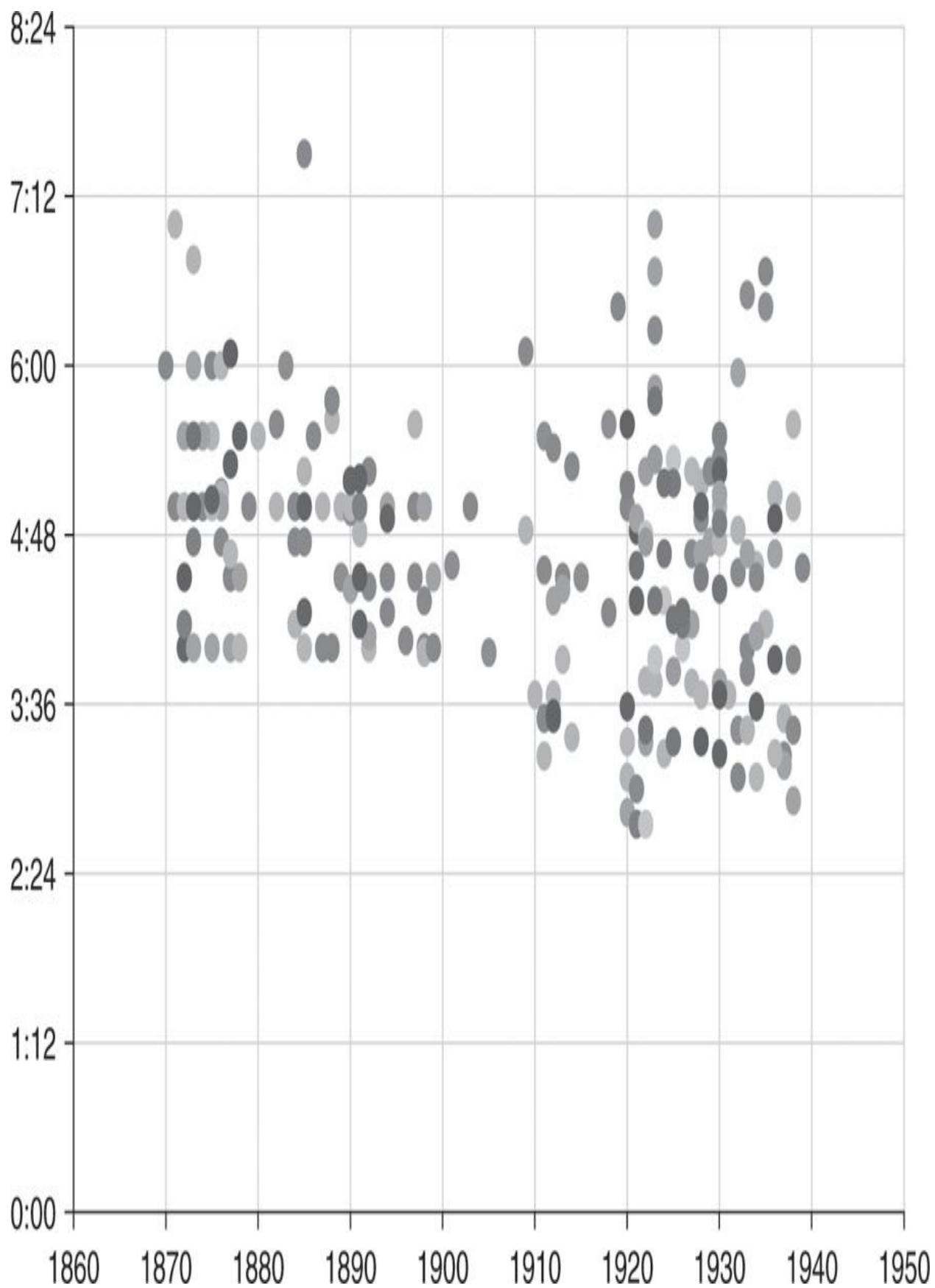


FIGURE 3. National changes in the hour of executions, 1870–1939, spring and summer (n = 245 executions)

Depending on the season, sometimes prosecutors managed to chose a halfway point, often holding executions at dawn. For example, Julien Jardry-Lavois's execution in December 1889 took place just before daybreak, at 7:20 a.m., "at the very moment when the sun was rising," the prosecutor remarked.⁴³ In July 1911, in order to hold the execution of Henri-Adrien Deviot "at dawn, before it was fully light,"⁴⁴ as the prosecutor wished, the entire operation needed to be finished before 3:30 a.m.⁴⁵ Similarly, in Nevers at the beginning of July, the execution of the young Robert-Philippe Fabre was conducted at 3:22 a.m., once again "before it was fully light," according to the prosecutor.⁴⁶ Nevertheless, when early morning was not selected, or when the execution ran late, it was often fully light out when the convict exited the prison and was guillotined. It was in broad daylight that Auguste Lhomme was executed in May 1913, at 3:50 a.m. *Le Petit journal* reported that "it was fully light out and the sun perfectly illuminated the convict's face, whose traits were not at all tense."⁴⁷ When held essentially in the daytime, executions became completely visible, and attempts to limit publicity were thwarted.

France's final public execution—Weidmann's in Versailles in June 1939—has also remained famous for taking place in broad daylight, after being significantly delayed. As early as 2:00 a.m., people and cars crowded around the execution site, where cafés had remained open,⁴⁸ capitalizing on the fact that no executions had taken place in Versailles for over seven years.⁴⁹ A number of newspapers told the story of an incident that occurred between the prosecutor and the executioner Desfourneaux regarding what the "time" of the execution was supposed to refer to. According to the prosecutor, the legal time should be used, whereas the executioner argued that the solar time (an hour later) should be used.⁵⁰ This discrepancy meant determining whether Weidmann was to be legally executed around 3:50 a.m., or "solarly" around 4:50 a.m., when it would already be broad daylight. The executioner's opinion ultimately won out, and Weidmann was executed around 4:30 a.m., despite the fact that the sun had risen forty-six minutes earlier (according to a journalist writing for *Le Matin*).⁵¹ Although the legends surrounding the death penalty have insisted that

executionary publicity was eliminated a few days after Weidmann's execution because the light of day had allowed impressive photos to be taken, we should instead concentrate on what the former's execution revealed. The fact that pictures were taken, coupled with the ultimately late timing of the execution, illustrates the repeated failure to confine executionary publicity. Although as early as 1909, the central authorities were asking their representatives to track down photographers and videographers, while pushing for executions to be held earlier and earlier, Weidmann's execution nevertheless operated according to precisely the inverse premises. It can thus be seen not merely as a "pretext-execution" but in fact the archetypal "problem-execution" dreaded by the state, because it exposed death under a bright clinical light and authorized its mechanized reproduction.

As V. A. C. Gatrell has remarked with regard to England, the elimination of publicity was a long time coming in part because it was not a priority on the contemporary legislative agenda.⁵² But it was indeed the political conclusion of a long movement that involved both parliamentary discussion and the expression of sensibilities, as Pieter Spierenburg has observed in the Dutch context.⁵³ When the executive order abolishing executionary publicity was adopted in 1939 in France, this appeared to be a late term political solution to a problem that had specifically not been resolved by those in power throughout the nineteenth century. Historically, the state had neither wanted nor been able to resolve the publicity issue and abandon the established punitive technology. Instead, it tinkered with circumstances without managing to ban publicity. And its critics likewise became trapped by this political indecision, continuously raising the stakes associated with the publicity question and ultimately, perhaps, presenting an obstacle to any kind of reform. The executive order issued in 1939 therefore did not mark the culmination of public hostility to executionary publicity: it embodied the difficult rejection of a certain punitive technology to move toward a penal system devoid of publicity.

Although some attempts at partial repeals were made, they remained conservative measures because the authorities feared that any change in publicity customs would be interpreted as a softening of the penal code. When the scaffold was eliminated in 1870, it was immediately seen as a concession that would shorten the duration of the convicted criminal's "death throes."⁵⁴ The number of progressive legal measures—some of which we mentioned above—ultimately remained limited. They included: the Decree of April 13, 1848, putting an end to public exposure; the Crémieux Decree of November 25, 1870, which revealed an

attempt to “neutralize the spectacle”;⁵⁵ the circular of January 15, 1877. issued by the Ministry of the Interior, which asked prefects to start refusing authorizations, in particular for journalists, to enter the prison on the day of an execution⁵⁶; various instructions prohibiting passes from being issued or photos and video to be taken; instructions to keep the executioner’s arrival in town inconspicuous and the date of the execution somewhat discreet, and so forth.

Despite the impossibility of totally eliminating publicity at the time, significant efforts toward simplification were clearly visible in the case of parricide, which was governed by a special regime, as a kind of autonomous publicity within the general publicity scheme.

Attempting to Simplify the Parricide Regime

Since Freud, parricide has been identified, along with incest, as one of the greatest taboos in the Western world, and its transgression is subject to serious criminalization. Like parricide, infanticide and its variant regicide⁵⁷—a crime against the king seen as the father of all his subjects—have been subject to special forms of punishment since antiquity. Because parricide has been considered “the greatest crime of all,”⁵⁸ its punishment has consequently and historically been “the greatest punishment of all.” The unique nature of the crime of parricide has been reflected in the form taken by its punishment—that is, the fact that a special form of punishment, or a special kind of publicity, or both, have existed solely for this crime.

The penal code during the Third Republic did not deviate from these principles with regard to parricide; in fact, it was merely a reincarnation of the passably sophisticated forms of punishment used by its predecessors.⁵⁹ During the Middle Ages, a man convicted of parricide first presented his “amende honorable,” then had his right hand cut off, and then was placed alive on the breaking wheel; finally his body was burned and its ashes scattered by the wind. A woman convicted of parricide was hanged or burned at the stake, insofar as the naked female body was not publicly exposed, and the wheel required the removal of all clothes.⁶⁰ The punishment for parricide was often confused with that for regicide. Consequently, when Ravailac was executed for regicide in 1610, and Damiens

in 1757, both men were subject to the punishment intended for parricide: including having their right hands cut off—Damiens even held up the knife with which he had struck the king⁶¹—the wheel, and the burning of their remains. After the Revolution, the Penal Code adopted in 1791 ratified the elimination of torture and changed the punitive regime. Hand amputation was abandoned, but the convicted criminal was once again required to wear a veil and the red “assassin’s” shirt on the day of his execution.⁶² The Penal Code adopted in 1810 once again changed the law. In Article 13, it stipulated:

The convict sentenced to the death penalty for parricide shall be led to the execution site in his shirtsleeves, barefoot, and wearing a black veil. He shall be exposed on the scaffold while the bailiff reads out the sentence. Then his right hand will be cut off and he will be immediately executed.⁶³

The cutting off of the right hand was reinstated, but the color of the shirt was no longer stipulated. Moreover, the code now prolonged the executionary process by requiring the reading out of the sentence in the moments leading up to the convict’s death. With the exception of the hand amputation, which was definitively eliminated in 1831, the same Article 13 was applied during the Third Republic, and this ritual system and its accompanying publicity were maintained intact until 1958.⁶⁴ The reading out of the sentence was meant to explicitly describe the nature of the crime being punished, which allowed for a simpler punitive ritual. Throughout all its historical incarnations, the punishment for parricide had been special in that it designated the nature of the crime in the form of the execution. The parricide regime thus did not only traditionally deviate from the standard penal code, it specifically reflected the crime in its punishment. This regime contained an additional element of publicity—which Sylvie Lapalus has termed a “regime supplement”⁶⁵—that was designed to highlight the crime’s specific punishment, distinct from most common executionary rituals, where identical executions were often meted out for vastly different crimes.

Moreover, the grouping together of parricide and regicide entailed homologous punishments, which were more or less enforced before the Second Empire, reestablished by the latter, and then definitively eliminated during the Third

Republic, where those convicted of regicide were executed without any special distinction,⁶⁶ as in the cases of Caserio in 1894 and Gorguloff in 1932. Marking a distinction between the punishment for parricide and regicide was a Republican attempt to depersonalize political roles and deconsecrate the presidential position. Regardless of his scope of powers, the head of state was no longer seen as a monarch-like figure, a father to all his citizens; any attempt on his life was punished according to common law and did not adopt any of the measures associated with parricide. As a consequence, the fact that there was no longer a special punishment meted out for regicide helped to resanctify the crime of parricide and highlighted its exceptional punitive regime.

During the Third Republic, the additional publicity associated with the punishment for parricide was contested. As executions for parricide were not very frequent, challenging this element of the punitive regime largely functioned as a symbolic political act. For example, during the period 1875–1913, on average 1.3 executions for parricide per year took place,⁶⁷ compared with an average of 7 executions annually. The incorporation of criticism of the parricide regime into the criticism of executionary publicity in fact stemmed from two different objectives: either legal publicity was abolished, in which case Article 13 and its stipulations would disappear as well; or only the special regime for parricide was eliminated, thus marking a significant change with regard to the publicity principle. The goal of the latter was not to abandon the parricide regime, but to align it with the standard publicity regime and reduce its additional publicity.

With one exception, and despite protests, all those executed for parricide under the Third Republic donned the veil and the specific clothing required and were put to death according to all legal provisions. Even Georgette Lebon, executed with her husband Sylvain Thomas for matricide in 1887, wore the required attire. “The woman was barefoot, her body covered by a white robe and her face concealed by a long crepe veil,” the *Petit journal* recounted.⁶⁸ And it was precisely surrounding publicity that protest surfaced concerning this execution, alongside challenges to publicity in general at the time. In this case, and contrary to the movement that had led to eliminating the amputation of the hand in 1832, the legitimacy of the death penalty for the crime of parricide was not questioned, only its publicity was challenged. Many people began to express distaste for the idea of forcing the condemned to wear special attire and listen to the bailiff reading out the sentence. This aversion was just as visible in the flesh as in writing. Materially speaking, Bordeaux’s prison wardens “forgot” to force

François Fradon to don the special attire and were ultimately commanded by the executioner to do so.⁶⁹ But more significantly, following a direct order from the president of the Republic, in 1910 Adrien Pierrel was not required to wear specific attire and attend the reading out of his sentence. Like many of his contemporaries, President Fallières no longer saw the stipulations of Article 13 as anything more than excessive penitentiary ritual, which was described as “superfluous grooming” in Fradon’s case,⁷⁰ and not as a publicity measure per se. Fallières thus hoped to establish a precedent with this banal execution of an unknown, fifty-one-year-old man, described as an alcoholic brute who had killed his elderly mother by hitting her in the face repeatedly with a pestle. The director of Criminal Affairs and Pardons thus sent a dispatch to the prosecutor, informing him that “in order to respond to the wishes expressed by the President of the Republic, the execution should not follow the arrangements contained in the provisions of Article 13 of the Penal Code.”⁷¹ The president’s wishes were respected this time, and the prosecutor reported that “having been informed of the President’s wishes, the executioner did not have recourse to the standard punitive regime and its attendant measures of torture.”⁷²

Fallières’s action was not followed up, however, despite its attempts to frame publicity, for lack of managing to alter its legal standard. The president’s endeavor likewise revealed new consideration for the suffering of the condemned criminal. Consequently, he sought to shorten the execution process by eliminating lengthy steps—such as the reading out of the sentence—and those elements that were now deemed to be excessive forms of humiliation, such as having the convict wear a black veil and go barefoot. During the Third Republic, a certain amount of leniency began to emerge concerning parricide,⁷³ in particular because the culprits themselves could at times be seen as victims of violence at the hands of their own parents or relatives. Consequently, the penal category of parricide was caught in a “social scenario” in which the murder of a domestic tyrant was occasionally seen as acceptable. In such cases, the jury would examine the “‘civil’ legitimacy” of violence against parents,⁷⁴ and no longer the transgression of a foundational taboo.

The Le Royer bill, which proposed eliminating publicity and was submitted in 1879, echoed these new concerns by including a provision abolishing the special parricide regime. The bill was notably supported in the *Journal du droit criminel*, according to which Article 13 entailed an increased sentence that “would become even more useless once publicity was abolished.”⁷⁵ But it was during discussions about the Bardoux bill proposed in 1884 that Article 13 was truly

challenged: the bill called for the article's repeal. The inquiry that took place in a number of appellate courts following the tabling of this bill asked: "Does repealing Article 13 of the Penal Code present any drawbacks?" The courts that were already hostile to executionary publicity saw no drawbacks and clearly expressed their support for repeal of the parricide regime. For example, the Amiens court of appeals stated that "there is no need to add to the fear and dread of those convicted of parricide by resorting to special attire, public exposure, and the reading out of the sentence."⁷⁶ This court and several others argued that the parricide regime would have to disappear anyway if executionary publicity were abolished. However, a few voices did speak up to defend Article 13, contending that its repeal would mean that crimes of a different nature would be prosecuted in the same fashion,⁷⁷ and insisting that the veil and the reading out of the sentence were not truly associated with publicity, but with a distinct mode of execution.⁷⁸

Much like the legal publicity requirement, which remained unchanged despite appeals to formalize executions—that is, to clearly frame the rituals and reduce the visibility of their violence—the special publicity associated with parricide was ultimately not modified. The Third Republic therefore allowed two different versions of publicity: the standard version, and an alternative version that possessed the same traits as the standard one, but was accentuated to distinguish the crime of parricide from other crimes. Maintaining publicity as a technology of power and putting faith in its exemplarity meant that the parricide regime was forced to embody an even greater level of exemplarity. As Paris's attorney general explained, the regime stipulated by Article 13 should not be abolished, because it produced a "salutary impression" on the public.⁷⁹

These various episodes all illustrate the gradual trend toward depublicization occurring at the time, which prompted newspapers as well as local authorities to remind the public of the need for the death penalty to remain visible. Consequently, it was necessary to envision a new system of publicity to reflect the public's changing attitudes, which now favored receiving information at a distance rather than having direct access to executions. The lack of specific guidelines for executions, the latitude granted to local authorities to select (or improvise) scheduling, and national variations between nocturnal executions and those conducted at daybreak were all elements that fostered criticism of the death penalty and its publicity. Members of Parliament thus attempted to incorporate this new relationship to executions within national legislation.

Sensibilities and Hostile Political Representations of Publicity

The state's desire to simplify executionary rituals remained very present over the years. Even though the political and journalistic context was favorable to this, all the legislative attempts to eliminate publicity were thwarted in the Chamber of Deputies. Nevertheless, the bills proposed and their reception in contemporary newspapers offer valuable insight into public opinion regarding punishment at the time. The fact that attempts to legally transform the modes of publicity failed did not, however, prompt its critics to give up. Publicity continued to be seen as imposing an intolerable degree of violence, devoid of its original objectives of exemplarity and deterrence, now ultimately perceived only as a formality.

Failed Legislative Attempts to Eliminate Publicity

The Senate adopted a bill that proposed eliminating executionary publicity three separate times.⁸⁰ The first bill, tabled by the long-term Republican senator Agénor Bardoux, a member of the Centre gauche (Center Left) group, a former lawyer, and the former minister of public education, as well as a great admirer of François Guizot,⁸¹ was very precise: it proposed eliminating existing publicity and giving it new life behind the prison gates. This bill was voted on December 1, 1884. It was in turn adopted, in a modified version, on May 12, 1885. And a third vote took place on December 5, 1898, this time on a bill tabled by Paul Strauss, a member of the Gauche démocratique (Democratic Left) and a public health expert. It was more or less the same bill that the Senate considered each time, starting with Charles Lucas's petition in 1867 and the bill proposed by François Steenackers of the democratic opposition in 1870. These two inspired some highly debated senatorial proposals: in 1878, the bill proposed by the liberal Jules Dufaure, president of the Council and a former lawyer; in 1884, the Bardoux proposal; and in 1879 in the Chamber of Deputies, the bill tabled by Philippe Le Royer, the minister of justice from the Republican Left and likewise a former lawyer. This last bill was in fact a reworking of Dufaure's proposal. In

passing, let us remark that the question of public executions was first and foremost treated as a legal issue, thus attracting the attention of the many former attorneys who made up the Parliament.

Nevertheless, despite numerous favorable discussions and reports, the Chamber never adopted the bills ratified by the Senate, regardless of the Chamber's changing composition or whether it was dominated by Opportunist, Moderate, or Progressive Republicans. The difference between the houses of Parliament seems to have been a result of an implicit division of labor, the deputies dealing with the issue of the death penalty directly, and the senators focusing more on the question of publicity. Historically, debates often alternated on these two different subjects. The longer the Chamber remained divided on the issue of executionary publicity, the more the Senate voted for bills aimed at abolishing publicity, as if to illustrate its willingness to see publicity disappear in contrast to the less motivated lower house. In addition, executionary publicity also fell victim to the parliamentary politics of the Third Republic, which made adopting any complex laws an entirely unpredictable process. In fact, when depublicization was finally adopted in 1939, it was remarkably not the product of a law, but of an executive order.

Although an outright ban on publicity was rejected, the lower house did perceive the legal requirement's disadvantages, but argued that conserving the public death penalty concurrently with the use of incarceration ultimately had a punitive value. The fear expressed by the parliamentarian Henri du Périér de Larsan, a magistrate by trade and a member of the Progressive group—which took the floor at length during the first deliberations on May 10, 1894—was a general one: the fear of having to renounce the exemplary nature of the death penalty. Of course, an additional risk was that this lack of exemplarity would lead to the repeal of the death penalty, pure and simple. For Périér, however, the death penalty needed to conserve its “exemplary power.”⁸² According to the parliamentarian, the alleged scandals caused by the Parisian crowds were merely the invention of a “foreign novelist” and a “Parisian journalist” (doubtless a reference to Ivan Turgenev and Maxime Du Camp, in attendance for Troppmann's execution in 1870). Compared with this unruly crowd in 1870, which could strip publicity of its legitimacy, Périér painted the picture of the rural masses returning to their homes “deeply moved by a salutary fear” after witnessing the quadruple Hauteffaye execution following the lynching of Alain de Monéys.⁸³ Périér argued that it was for this kind of unsophisticated and impressionable crowd that publicity should be maintained, and not for some

hypothetical, restive spectators:

Believe me, if your law had existed at that time and if the Court of Assizes had decided that the quadruple execution would take place behind Périgueux's prison gates, do you really think that this execution would have left an impression on the public? That its effect would have been the same?

Finally, on May 19, 1894, almost ten years after it had been tabled in the Senate, the Chamber of Deputies rejected the Bardoux bill by a vote of 267 to 232.⁸⁴ This came at the end of a lengthy debate, which had been largely undermined by digressions concerning the abolition of the death penalty, causing the question of publicity to no longer be viewed as an urgent matter.⁸⁵ In fact, the Chamber's attitude perfectly reflected how the question of publicity was viewed by the greater public.

Every time an execution gave rise to a scandal or was criticized by the press, casual observers as well as journalists would declare that a ban on publicity was imminent and that the Chamber could no longer hold back the tide. The public's relationship to visible executions had become quite fragile. The entire institution was seen as being on the brink of disappearing: each execution had the potential to be the last one. As early as Troppmann's execution, which drew a crowd of twenty-five thousand,⁸⁶ one abolitionist author claimed that the publicity requirement would not be able to survive the scandals that plagued this event.⁸⁷ In 1879, after the government had approved the favorable results of the Dufaure commission on two proposals to ban publicity, *Le Droit* remarked that in the Assembly, the bills "would be adopted without opposition."⁸⁸ After the execution of Henri Pranzini in 1887, which was extensively covered in the media, *L'observateur français* called on the Chamber to finally vote on the Bardoux bill, as it was shocked that "in order to set an example, a scandal was caused." Remarking on the huge crowds that attended this Parisian execution, the newspaper asked: "Is it possible that this scandalous death, Pranzini's execution, might be the last?"⁸⁹ *Le Cri du peuple* did not share this opinion, thinking the Chamber too timid to repeal such exemplary punishment. Nevertheless, the newspaper remained skeptical with regard to this exemplarity, observing that the death penalty could not have a moralistic effect on the condemned criminal,

insofar as he was executed in the process, and that it was ultimately a suppressive form of punishment rather than a repressive one.⁹⁰

According to *La Croix*, a few years later, publicity still possessed a few advantages, such as avoiding the substitution of condemned criminals at the last moment, and the salutary aspect of the punitive spectacle. But after Auguste Vaillant's execution, and the threat of attacks that had accompanied it, the newspaper stated: "This time the question is ripe for the asking. All the noise surrounding the Vaillant execution will before long push the Chamber to vote on the bill that the Senate adopted in May 1885," that is, the Bardoux bill.⁹¹ But a few weeks later, with the execution of Émile Henry, one newspaper editor declared that he was hostile to stealthily conducted executions and that he believed public executions should be preserved, so as to award them a sense of religious dignity in the hopes of edifying spectators. The editor also cited the example of Spain, where the public prayed for the condemned man or woman and where the condemned could do penance (as prisoners were informed of their fate three days before their execution), asking the executioner's forgiveness for having to administer the punishment and asking forgiveness from "the victim's parents and all others."⁹² After the Strauss bill was tabled by the Senate in July 1898, *Le Petit journal* campaigned for its adoption. One of the paper's editors wrote: "It seems to me that it would mark great progress for public morality if the publicity of executions were restricted."⁹³

Alexandre Bérard, a parliamentarian from the Democratic Left, a legal expert, and a member of the commission in charge of examining the Bardoux bill, was convinced that publicity reform was imminent, stating that "there is no more reason to keep the guillotine on the public square than there is the pillory."⁹⁴ "When will our legislators finally decide to get rid of this unbearable spectacle?" *Le Petit journal* likewise asked at the turn of the century, when commenting on the fact that the Chamber had still not voted on the Bardoux bill.⁹⁵ Challenges to publicity were temporarily eclipsed when the death penalty briefly disappeared between 1906 and 1909. When executions resumed in 1909, this marked a defeat for both the abolitionist camp and those opposed to executionary publicity. Despite a few other legislative attempts, the parliament was unable to eliminate publicity in France, contrary to what had occurred in some other European countries.

The bills tabled before the two houses confirmed the delegitimitization of the unruly behavior of execution spectators, often denigrated by the use of a single

word: “scandal.” Moreover, the legislative challenges to publicity occurred through two complementary avenues: through bills exclusively addressing publicity, and bills that concerned the abolition of the death penalty but also contained one or more articles relative to the question of publicity. Contrary to what the minister of justice had argued when launching a study of the Bardoux bill in 1885, the two issues remained intimately linked in the minds of parliamentarians. The criticism of publicity acted as an additional argument in support of repealing the death penalty in many bills proposed by abolitionists.

One trait shared by most of the proposed bills was a realization that the executionary spectacle had become incompatible with public manners. Although executions had been justifiable and tolerable in former societies, they had now become an archaic vestige. In his favorable report on the Charles Lucas petition tabled before the imperial Senate, the Bonapartist senator Edouard de Mentque remarked that if they were unable to abolish the death penalty, at least “the bloody spectacle of a convict’s death throes should be removed from the public’s sight!” Even though in the past, the sight of an execution was supposed to strike fear in people’s hearts, today he argued, “Is it not rather an unhealthy and depraved curiosity regarding the bloody event that draws crowds to the scene?”⁹⁶ A call to eliminate publicity was also present in the abolitionist bill tabled before the legislative body by Jules Simon: “Let us at least be spared the view of the scaffold; let us at least refrain from displaying these bloody acts of atonement before the public, which should be setting an example but are now merely scandalous events or lessons in ferocity.”⁹⁷ The lengthy Crémieux report on the Steenackers bill contextualized the elimination of publicity by referring to a general nineteenth-century trend in that direction, in particular marked by recommendations not to execute on market days (proposed in 1838–1839), and a ban on public exposure in 1848. The report also suggested that executions be held behind prison gates and attended by a certain number of authorized witnesses.⁹⁸ In a very close repetition of Jules Simon’s propositions, the abolitionist bill put forth by Louis Blanc stated that “the spectacle of the blood spilt by an executioner hardens wicked hearts and hinders the refinement of mores which should be the result and manifestation of a superior civilization.”⁹⁹

On March 20, 1879, a bill was this time presented to the Chamber, sponsored by the president of the Republic Jules Grévy, his minister of justice Le Royer, and Lepère, the minister of the interior and religion. Grévy was an abolitionist and on coming to power in January 1879, he began to grant pardons for criminals sentenced to death, causing the number of executions to drop to three in 1879.

The bill that he brought to the floor of the Chamber, however, only addressed the issue of banning publicity, this time justified in relation to the immediate changes that had affected executionary rituals:

Little by little, the scaffold has been relegated to less busy public squares, executions have been scheduled earlier and earlier in the morning; the crowds have been distanced from the very instrument of torture, now placed flat on the ground. In short, the legal publicity of executions has been curtailed as much as possible in accordance with the imperative prescriptions of the law.¹⁰⁰

Here was a moment when political leaders admitted their desire—hitherto concealed—to gradually depublicize the death penalty in order to address the “scandalous scenes” surrounding the scaffold that harmed the institution’s image. The bill continued with a rewriting of Article 26 of the Penal Code, which would become: “Executions shall take place in the administrative center of the Court of Assizes, inside a prison, or in the closest location, which shall bar public entry.”

In 1894, in a report on the Bardoux bill, Joseph Reinach remarked that a vote in the Chamber had already been expected for eight years. He did not repeat the whole series of arguments regarding violent spectacles, but emphasized the need to design a law that would ratify the current state of executions: “A few years ago already, even in France, old-fashioned publicity (which at least had a certain level of horrible grandeur) was replaced by a more derisory form of publicity, which is so petty and low that it seems like a lie and is no better than hypocrisy.”¹⁰¹ Executionary publicity thus remained legally ambiguous, as illustrated by its gradual retreat outside of any legislative intervention. Reinach notes in his report that contemporary executions had become less and less visible, in part because the whole process was so rapid, but also because very few spectators were well-placed enough to see the convicted criminal’s death. Although spectators continued to attend executions, it was no longer to be touched by the act of atonement, but due to an unhealthy curiosity, which was “the sole passion driving crowds to executions.” Although the Chamber eventually passed the Bardoux bill, this did not mark a decisive change in publicity, but merely a tangible codification of the existing conditions at the

time: “Erecting the guillotine inside the prison does not mean hiding it—the guillotine is currently hidden—but returning it to its true place; eliminating executionary publicity is not shirking justice, but giving back its majesty. We ask you to substitute terror for spectacle, dignity for scandal and atonement for defiance.”¹⁰² On May 19, 1894, the Chamber refused to pass the Bardoux bill, preferring instead to let executions continue to unfold amid the remaining semipublicity. The Chamber did not dismantle the structure of publicity, as this would have required inventing a new regime—a process that seemed less effective than maintaining the status quo.

The parliamentary rejection of the Bardoux bill engendered a shift in the arguments employed by subsequent proposals attempting to ban publicity. The newer bills no longer tried to condemn the horror of the executionary spectacle or to prove that executions had already been removed from the public space—which would ultimately have made legislative action useless—but instead pointed out the problems potentially engendered by publicity. The Strauss report consequently noted that eliminating publicity would allow for legal measures to be simplified by maintaining the crowd outside of the prison and thus not having to monitor the execution’s process and the behavior of its spectators.¹⁰³ When the Senate passed this new bill banning publicity, the issue of unrest was debated anew in the Chamber, in a report penned by a former prosecutor and a member of the Democratic Left, Henri Castillard: “It has become customary to execute criminals very early in the morning in order to refrain from disturbing the public peace.”¹⁰⁴ As an abolitionist but also a supporter of executionary publicity—for its role in exposing the true violence of the death penalty—the rapporteur Jean Cruppi, who would later become minister of justice, recalled the extent to which executions had become an obscene spectacle: “There is no square left, no crossroads, no open field where locals are still willing to welcome the horrible ‘widow!’ ... Today the guillotine has no home. All of Paris’s neighborhoods refuse to grant it entry! This is the truth.”¹⁰⁵ Cruppi was referring to the Parisian situation, and the historical gap in time between when La Grande Roquette was destroyed and when the guillotine found a new home outside of La Santé prison. But the general notion was widespread: the law should regulate publicity, because the death penalty was ill at ease in the urban landscape.

Nevertheless, the parliamentarians of the Third Republic opted to maintain the status quo, which did not extinguish criticism and authorized continued experiments in depublicization without it becoming the legal standard. The Assembly’s inability to legislate not only bolstered the feeling that executions

were a problematic and troubling issue but also allowed the flourishing of criticism that hoped to influence legislative decisions and attacked the publicity principle.

Expendable Publicity

When attempting to judge who was winning, between those hoping to abolish the death penalty and those working to preserve it, *Le Petit* journal observed that society had somewhat lost confidence in the effectiveness of the death penalty. Consequently, its ritual had been stripped bare over the years. The disappearance of an executionary regime designed to instill morality in the population thus considerably reduced the value of publicity: “Under these conditions, the public cannot be reformed by the sight of an execution; neither are the crowds witness to the reality of the act nor the criminal’s identity, and ... we can say that today, the publicity of executions is nothing more than an empty word: it doesn’t exist.”¹⁰⁶ At the turn of the century, executionary publicity was seen as a charade that still existed legally, but only attracted a marginal public who no longer learned anything from the spectacle. Publicity thus became a mere legal requirement, gradually stripped of all its attributes. It accompanied the death penalty but no longer served it. One advocate for the death penalty who was nevertheless against publicity, Alexandre Lacassagne, expressed his indignation at what executions had become:

We must get rid of this vile spectacle, offered up to idle men and young women who go to an execution like they would to the theater, buying access to neighboring windows that are costlier than a ticket to a sensational premiere.

The death penalty, such as it was practiced during the nineteenth century, has for some individuals been an opportunity for sadistic satisfaction, and for others an enticement toward audacity and contempt for morality and justice. For a number of convicted criminals, their executions were like a final, meticulously staged parade.¹⁰⁷

Since the public's mores had not yet allowed for the death penalty to be definitively abolished, Lacassagne fought for a form of punishment that would not shed blood, like English-style hanging. In particular, he insisted on the need to hold executions in the courtyard of the prison. Executions, "which public sentiment required," should be "conducted in secret, without publicity, and far from the vile, bloodythirsty crowds." For "the staging of the guillotine, the public dismemberment and the enormous quantities of bloodshed created a horrible and disgusting spectacle."¹⁰⁸ When executions resumed in 1909 with the quadruple execution of the Pollet gang in Béthune, the crowds were huge, curious spectators arriving by the trainload: contemporary newspapers fixated on this mass attendance. *Le Petit journal* described all the bills that had been proposed with regard to eliminating executionary publicity, and continued to advocate for a vote to be taken. France should imitate other countries and move executions behind the prison walls, since "no serious objections to reform [had] been made."¹⁰⁹ "Executionary Publicity" was splashed across the front page of *La Croix*, the newspaper also maintaining that the public "should not see the knife of justice falling on a criminal—this is a horrible spectacle that can only feed unhealthy curiosity."¹¹⁰ *Le Petit journal* argued that the solemnity of executions would return only with their transfer to the prison. Referencing the U.S. example of the electric chair, the editor René Bruyez noted that this was a form of execution that prohibited spectators from dipping their handkerchiefs in the blood of the dead criminal. Although electrocution was sometimes flawed, Bruyez wrote that he "was less embarrassed by the excessive respect with which American executioners carried out their orders," when they questioned the chair's functioning, "than the frenzied rush of [his] fellow citizens toward the Boulevard Arago and the gruesome superstitions of those who believe that the bloodshed brings good luck." Executions could continue to take place and the prison would restore their exemplarity, even if they were less visible: "Many claim that the death of a man can and should set an example. So make an example of it. But you do not have the right to make a spectacle of it."¹¹¹ This new form of exemplarity would merely depend on the certainty that an execution did indeed take place, and could potentially have a beneficial effect on the other convicts.¹¹²

Following the emotional unrest caused by the execution of Sacco and Vanzetti, in 1927 the doctor Edmond Locard, founder of Lyon's forensic science laboratory, launched a vast "Poll on the Death Penalty" aimed at the readers of

the Lyon républicain newspaper. The responses that he ultimately commented on can be seen as a rare snapshot of contemporary popular opinion—for once, not stemming from those in power or positions of authority. A very large majority of Locard's readers claimed to be against executionary publicity. Decrying the scandalous and "carnavalesque spectacle" that executions had become, many letters argued that the death penalty should not "step out of its legal context and should be conducted as simply as possible in a prison courtyard,"¹¹³ attended by a few officials and randomly selected citizens, "to guarantee that executions were conducted under the right conditions."¹¹⁴ Publicity was no longer needed, just as "the public was not invited to the slaughterhouse or the pound."¹¹⁵ One reader struggled to understand the curiosity that had spectators flocking to execution sites:

When the scaffold is erected on a public square, it is such a hateful thing that it is hard to remember that these kinds of events take place in France. It is unacceptable that people who have no reason, professional or otherwise, to attend executions choose to witness such spectacles: what are they hoping to find there?¹¹⁶

Many believed that executions called for more restraint and modesty, and that the public should shun the terrible spectacle of a man being put to death. One commenter bluntly described the process as it likely affected many sensitive readers:

Is the sight of a man struggling against death so appealing, that some people would even sacrifice a few hours of sleep for it? The bestial cry of a man being butchered, his voice casting out into the dark sky the name of a beloved mother, wife, or fiancée, the sobs of a man about to die, the clicking noise of the blade slicing into the flesh, the body's thud onto the hay, the slackening nerves causing its dead members to flap around the zinc case, are all these elements not overwhelming enough, that some people stay after to watch the machine being cleaned, unflinchingly contemplating the assistants whose arms are all bloodied as they wash the guillotine?¹¹⁷

Frightened by the violence that publicity put on view and the public's reaction to it, Locard's readers attested to society's diminishing level of tolerance for visible violence. The spectacle presented could no longer be understood, its original objectives were ignored, and all that remained was violence. In the lead-up to Jean-Marie Spaggiari's execution in Chambéry in 1891, the doctor in charge of the mental asylum apparently wrote to President Carnot, who he knew personally, to ask him to pardon the convicted criminal. His sole argument was that the executionary spectacle was unacceptable. He begged for pity for Chambéry and pity for Spaggiari:

The prison's central location in the middle of the city makes the gibbet visible to all. Please, spare us this horror! ...

For over forty years Chambéry has not observed such a spectacle. And now this horror is going to be inflicted on the people of Chambéry for an Italian who committed his crime inside the prison at Abbeville. I am pleading here for the sake of our people.¹¹⁸

The ambivalence of public sentiment with regard to the death penalty did not affect the issue of publicity, which was largely condemned. This was a problem that troubled the consciences of Lyon républicain readers and showed the emergence of a new public aversion to public executions. The scaffold was "shameful," to use one of the words often uttered at the time. The presence of a guillotine tainted the town that it visited and highlighted its indignity: not only had the town in question produced a criminal, it would also bear witness to that criminal's public death. This explained the hostility of municipal authorities and the local media with regard to public executions. Concerning executions as public events, Le Rappel wrote that "executions try to hide. They are ashamed. They know that they are rendered impossible by modern attitudes."¹¹⁹ Criticizing the actions of Joseph Reinach, who wanted to eliminate publicity instead of abolishing the guillotine, Clemenceau noted that all sense of exemplarity had disappeared, leaving only a form of legal murder. This murder was precisely what authorities clumsily tried to conceal: "The scaffold, which used to be

paraded around, has now become something shameful that we try to hide.”¹²⁰ “Candidates for the guillotine” made up most of the spectators that came to watch; according to Yves Guyot, a former minister, “a nation must not carry out actions of which it is ashamed; and yet, all civilized populations are ashamed of the death penalty.”¹²¹

First of all, the disappearance of executionary publicity in France was the result of a late convergence between public distaste for violence and the state’s desire to eliminate executionary publicity. The threat of both war and anarchist revolt demonstrated that the Republic was always subject to danger. This was the reason that prisons were not immediately preferred over public executions. Of course, there was likewise the fear of public unrest, a sort of murderous contagion that Michel Foucault used to explain why the death penalty fell out of favor. But this fear did not win out over the perception, held by both the state and France’s elite, that the exemplarity of the death penalty had “flipped”: seeing executions unfold no longer deterred criminals, but instead disheartened the public.

Nevertheless, we should not jump to the conclusion that punishment in general was being rejected, as Norbert Elias has suggested.¹²² For the elimination of publicity was in fact the outward symptom of various attempts to hide visible violence, but not to abolish or mollify said violence. The pacification of society amounted to relegating violence to behind the scenes, without questioning the principles that this violence was based on. If we had to examine the nature of the civilizing process in this light, we would be forced to admit that it was less about reducing the violence of punishment than about refusing to exhibit and perform this violence in public. Public sentiment surrounding violence was first and foremost opposed to the visibility of violence, rather than violence itself. As Zygmunt Bauman wrote in rejecting Elias’s hypotheses, the civilizing process taught society to avert its gaze from horror, not to prevent it from occurring.¹²³ But to what extent can we separate sensibility to visible violence from an aversion to violence in general? It is perhaps because these two were inseparable that the elimination of executionary publicity appeared to be a good compromise, because it was not possible to abolish the death penalty entirely. And this compromise was reached without hypocrisy on the part of those advocating against the punitive technology.

Second, attacks on executionary publicity strove not only for its regulation, but primarily for its elimination. Its critics did not want to adjust publicity, but rather

to envision an entirely new publicity regime that would subtract the death penalty from the public gaze and prevent the emotional disturbance provoked by visible executions. The ban on publicity can thus only be understood if we contextualize it within a broader reformist movement and the public's desire to remove executions from the urban landscape.

Inventing a New Form of Publicity

Challenges to executionary publicity were inseparable from contemporary structural transformations of the public sphere. And the demand to eliminate publicity entirely marked an important change in this public sphere: the rise of the popular press. After emerging in the nineteenth century, popular journalism rapidly conquered the public space—except that in the case of executions, this new public sphere, which was historically designed to control what was made public, was paradoxically forced to account for and control what was depublicized.

It was not merely a matter of eliminating publicity: the mechanism that exhibited it at a distance also needed to be reinvented. Part of the difficulty associated with giving up the existing form of executionary publicity was precisely linked to the fear of entrusting the budding press with the task of replacing traditional publicity. For this new media, in particular the so-called popular press, was subject to violent criticism and widely viewed as a cause of the country's loss of moral standards, as well as an inspiration for crime, due to its fascination with sensational anecdotes and its tolerance for violence. In any case, the popular press did not seem capable of replacing traditional publicity. In fact, this period observed major changes in the public sphere and in how information was disseminated; new emergent forms of mass media did not seem trustworthy, and the old modes of communication as governed by those in power appeared outdated. Hence the development of an alternative solution that would silence the press: relying instead on official witnesses selected for each execution, the newspapers settled for a mere written report of what had unfolded. Throughout the course of the Third Republic, critical minds thus attempted to imagine a post-publicity regime that would provide the means to announce that executions were taking place without granting them visibility.

The Configurations of Witness-Based Publicity and Public Aversion

In 1833 the abolitionist lawyer Cyprien Roumieu was shocked by the nature of executionary publicity.¹²⁴ In the behavior of the “breathless, agitated, and ferocious” crowd, which drew its emotional fervor “from the blood,” Roumieu saw no evidence to “indicate that the bleak spectacle presented to the public produced a moral and salutary impression on their souls.”¹²⁵ As a possible solution, Roumieu thus envisioned a utopian scenario in which the death penalty could be granted “notoriety,” and executionary publicity completely eliminated. He argued that executions should be conducted in a windowless temple that was “durable and permanent” and visible from all vantage points. Of the death penalty, only this temple would remain, and not the executions themselves, which would disappear from public view. And at the very heart of the temple, the sepulchral atmosphere would mirror the very eradication of the convicted criminal from the world of the living:

A windowless building, where light could only get in from above, as if to signify that he who enters it is forever removed from the world, and can thereafter only communicate with the heavens from. The criminal should be placed up high, so as to be seen only from a certain distance.

The condemned man should ... go toward his death completely veiled; nothing should be left to identify him; only the criminal should remain.¹²⁶

Roumieu’s utopian fantasy reflected the nineteenth-century desire to invent a new form of executionary publicity that would alter the existing ceremonial rites. The new ritual would not be bloody and would thus not require crowd control—ultimately, it would be consistent with the Republican regime. It would also be true to the vision of an ideal France leading other nations with regard to this issue. Nevertheless, as Crémieux noted, a number of other countries had already moved executions behind the prison gates and thus presented several models that

France could emulate.¹²⁷ In the various discussions that took place during the Third Republic, the most frequent suggestion was to hold executions inside a prison, attended by a certain number of designated witnesses who would both certify that the execution had indeed taken place and confirm the identity of the convict executed, in order to prevent the secrecy of executions from engendering arbitrary convictions.

Who should bear witness to these executions? Who would be deemed legitimate enough to replace the collective population? Who would have the moral fortitude to tolerate witnessing an execution? One alternative to legal publicity suggested that either designated officials or anonymous individuals representative of the population at large could attend an execution behind closed doors. But among these designated officials, legislative discussions often tended to exclude the presence of magistrates. There were two reasons for this. On the one hand, executions were perceived as vile and repugnant events, unsuitable for the dignity of judges. On the other hand, although executions would be “imprisoned” in this new regime, they would also become the sole purview of penitentiary administration, which could find the vast majority of suitable witnesses within its ranks. The Crémieux report on the Steenackers bill (1870) thus indicated that the responsibility of magistrates was limited to the judicial sphere; it likewise envisioned that the designated witnesses could be court clerks, chaplains, bailiffs, police chiefs, police commissioners, the prison director, the prison doctor, the commanding officer of the armed forces, and those members of the press whose presence was deemed “indispensable.”¹²⁸ A monetary penalty was planned in case one of the designated witnesses did not attend the execution.¹²⁹ The question of witnesses was precisely what caused the Steenackers bill to be withdrawn, after a vote was taken on its first two articles; some parliamentarians felt that legislators did not have “the right to impose that kind of spectacle.” This was especially because, in the new publicity system, “executions would only take place in the presence of a few civil servants, which would not be a sufficient guarantee for society at large.”¹³⁰

The 1879 Le Royer bill, supported by Grévy, sought to invent a new system of legal publicity in which the media would play a role: its delegates would be granted entry inside prisons. The project identified three categories of individuals allowed to witness executions; it also hoped to force magistrates to attend the executions of those criminals that they had sentenced to death. First to be identified in this list of potential witnesses were those whose presence was indispensable: the judge ruling over the local Court of Assizes or, when this was

absolutely not possible, one of the judges from the town of execution; the public prosecutor attached to the Court of Assizes; the court clerk from the same; the prison director or warden; and the prison doctor. Second, the list contained those witnesses whose presence was mandatory, but whose absence would not prevent executions from going ahead: the mayor, the commanding officer of the police force, the central commissioner, and the local police commissioner. Finally, a number of other possible witnesses could be admitted: the minister of religion, the convict's defense lawyer, members of the jury, the appellate court judges, and departmental and regional councilors, including twenty representatives of the press.¹³¹ Despite the presence of these members of the media, executions would still engender published reports. What lawyers saw as a problem was precisely the fact that no journalist would be present when the written report was signed, which would give the impression that the execution was a secretive, closed-door affair. In particular, *Le journal de droit criminel* lamented the lack of sanctions for official witnesses whose presence was discretionary and who thus declined to attend. For "voluntary abstention" was to be prevented at all costs.¹³² Likewise, *Le Droit* also argued that the system "encouraged abstention." The pool of indispensable witnesses thus needed to be enlarged, reaching a minimum of 30 individuals and a maximum of 150, if all were to attend at once. "This would assuredly be a large enough number to dissipate all fears," the newspaper concluded.¹³³ The qualitative leap made by the Le Royer bill marked a manifest acceptance of changes in the public sphere that had made it impossible to exclude the press. Even if the proposed new system refused to choose between witnesses coming from the political-judicial world and from the press, it did attempt to plan for a sufficient number of official spectators in order to ensure that the new form of publicity retained as much legitimacy as its predecessor. As they became depublicized, executions were ultimately encompassed in their entirety by the state and the penitentiary administration; for the most part, witnesses would also belong to one of these two universes.

When the Bardoux bill was proposed and then studied in 1884–1885, the issue of witnesses became particularly pressing. The list of admissible witnesses was almost entirely copied from the Le Royer bill, but the answers to the questionnaire sent to magistrates and prosecutors after the bill was voted on in the Senate revealed the reluctance of magistrates to attend executions. If the courts surveyed hit a roadblock with regard to the pool of witnesses and produced a flurry of counterproposals and interminable lists, it was because in addition to legal considerations, they were hesitant to force a designated witness to attend such a spectacle. In a query regarding implementation, the

questionnaire thus mentioned the “repugnance”—a term rather out of context in this legal query—of those forced to witness executions, which could undermine attempts to reform publicity. Despite what we might have assumed to be a certain familiarity with the death penalty, the elites’ aversion to observing executions was in fact a constant throughout the nineteenth and twentieth centuries.

The fear that intolerable violence was being committed against innocent spectators went hand in hand with publicity. For those who rejected a martial relationship to executions, they were indeed unbearable to witness. At the end of the eighteenth century, Pierre-Jean-Georges Cabanis already refused to attend executions because “he could not stand to watch such horrors.”¹³⁴ Commenting on the Steenackers bill in 1870, one lawyer approved excluding the sentencing judge from the list of witnesses, for watching the convicted man die “would be a new and overly arduous task.”¹³⁵ There were similar reactions to the Le Royer bill, in the context of which forced attendance at executions could be a “very trying” element of the planned publicity configuration.¹³⁶ In its response to the Bardoux questionnaire, the Caen appellate court, rather antagonistic to changing the publicity regime, conceded that witnesses would probably experience disgust, and argued that they should be subject to a criminal sanction if they did not attend.¹³⁷ Agen’s court of appeals likewise mentioned the “repulsion felt by many individuals while watching an execution,” which was likely to render attendance entirely notional. For this same reason, however, the court was also opposed to a financial penalty for absentee witnesses. In short, even when repugnance was played down, it was never denied. This sentiment was so present in the minds of the questionnaire’s authors that they feared disgust would de facto lead to the disappearance of the witness pool, thus making executionary monitoring entirely illusory and stripping the death penalty of its last public attribute.

It is likewise possible to consider this issue as evidence of the fear of some courts that the attendance requirement would be politically instrumentalized by abolitionists or magistrates morally opposed to the death penalty. By refusing to attend an execution without incurring the risk of any penalty, the latter could make a political stand within the legal mechanism of the death penalty itself, thereby stripping it of all public substance. Some courts thus tried to delegitimize the repugnance issue. Bastia’s court of appeals, favorable to the new regime, attempted to break the association between the disgust experienced by witnesses and public pressure to abolish the death penalty. According to this

court, the civil servants summoned would attend executions as part of their professional duties, which eliminated any need to include a criminal penalty for nonattendance. And the question of the potentially illusory presence of witnesses should not be addressed by the law, since it was “not worthy of its provisions.” The Court of Cassation largely agreed, indicating that the majority of witnesses would be able to overcome their disgust. Despite often being confronted with violence, priests and soldiers carried out their responsibilities properly, the court argued, because they were borne up by “a feeling of duty”;¹³⁸ witnesses would be able to act similarly. On the contrary, the best way to avoid the absence of witnesses would be to leave the current publicity system intact. This was the argument put forth by Périer de Larsan in discussions with the Chamber on the Bardoux bill in 1894. In fact, according to his argument, officials could not be forced to attend executions inside prisons because the lethal spectacle would repulse them, especially those “who were too sensitive to tolerate such things.”¹³⁹ The exemplarity of executions should thus be preserved by displaying them to the popular masses, more suited to tolerate such violence than overly sensitive civil servants.

But executions remained an ordeal for those they disgusted. In 1892, Roussy, the deputy mayor of Montpellier, distributed 120 no-queue passes for those who had asked to be as close as possible to the guillotine during the execution of Joseph Martini; however, Roussy refused to attend the execution himself, declaring that he was a staunch opponent of the death penalty.¹⁴⁰ The requirement to cover executions was also trying for journalists. Albert Wolff, the editor of *Le Figaro*, explained how he had lost all courage when Troppmann was about to be guillotined: “I had barely enough time to run behind the prison doors in order to flee that horrible sight.”¹⁴¹ After Pierre Justin Martinet’s execution in Bordeaux, one local journalist expressed disgust at having to describe the event to his readers: “Let us hurry up and wrap up an overly trying task which has been imposed on us professionally.”¹⁴² But the sight of an execution was just as unbearable for some of the defense lawyers involved. No doubt because in one case the defense lawyer was a woman, *Le Petit* journal remarked that the former “averted her eyes” at the very last moment.¹⁴³

In their response to the Bardoux study, some courts elaborated the concept of an impersonal public, absent from the list of questions, in order to include among the witnesses certain anonymous individuals alongside officials. Consequently, the court of appeals in Amiens wished that an “impersonal public” be present in addition to the standard witnesses,¹⁴⁴ but it neglected to describe the composition

or admissibility of this public. According to *Le Petit journal*, this new public would be granted entry just before the beginning of an execution:

The doors to the prison wherein the prisoner would have to meet his fate would be opened just a few moments before the execution took place, granting entry to those persons standing outside of the door. As large a number of people would be allowed in as the space would permit, including the presence of the special witnesses as designated by this bill.¹⁴⁵

According to the Toulouse court of appeals, this public would be chosen at random and based on the jury model. There would be twenty spectators in charge of representing “society as a whole in judging the convict.” These twenty citizens, “the first to arrive to witness the hour of atonement, will be like a portrait of the whole population.”¹⁴⁶ The Court of Cassation suggested opening the doors to the prison to a portion of the public standing outside, and closing these doors “as soon as the space was filled.”¹⁴⁷ This was ultimately a way to reinstate traditional publicity, potentially available to all, though finally inside the prison. Moreover, this was also a way to elaborate a new form of publicity that was in fact analogous to the existing form, and thus to invalidate all legislative work on the question. The subsequent bills proposed would not rule on the matter; in fact, most of the time they followed the guidelines written by Le Royer and Bardoux, without making any significant progress.

As long as executions took place before a large number of people, their violence was perceptible but defused, still in accordance with the general violence of civil law, to which they were seen as merely an additional element. But by unfolding behind closed doors, by becoming even more striking due to the absence of a public context, executions flaunted their violence, prompting the expression of deeply buried attitudes and the disgust of those primarily involved, and ultimately hindering any attempt at reform. Depublicized executions were seen as confined executions, liable to trap designated witnesses with no means of escape in a spectacle of violence that the public rejected. However, another way of managing executions and accommodating the sensitivity of magistrates would be to legalize coverage by the press.

Press Coverage and Executionary Notoriety

Those attempting to design a new publicity regime came across three major problems. The first problem was the fear that the disappearance of publicity might allow convicts to be substituted for one another—thus endangering the testimonial function of publicity. The second issue was the journalistic fate of legal publicity; that is, the replacement of urban publicity by media publicity. The third and final problem was the need to invent new practices allowing for the public to learn that executions had successfully taken place, thus granting the latter a new kind of notoriety. If we wish to understand why it was so hard to eliminate publicity and definitively place the guillotine behind prison walls, we must examine the extent to which solving these three problems would have been a revolutionary phenomenon. Ultimately, it was a matter of completely reorganizing a public ceremony, the level of public participation in this ceremony, and the manner of informing the country that an execution had taken place, all while keeping executions at a distance from the public eye.

One of the criticisms leveled at depublicization attempts was that by orienting executions toward the invisible penitentiary space, these reforms in fact simply reinstated secret and arbitrary practices that the revolutionary principle of publicity had struck down. In particular, depublicization was accused of ruining the public's ability to confirm that the convict put to death was indeed the one sentenced to die and that no substitution had occurred. A return to secrecy would thus concern the identity of those sentenced to death and entail the appropriation of executions by those who organized them and a handful of appointed political witnesses. Conducted behind the closed doors of prisons, without the possibility of being monitored, executions could be hijacked, their punitive goal becoming an arbitrary political tool: for example, rich convicts or those favored by powerful individuals could have someone else executed in their stead. This worry was not merely a rhetorical concern, and it significantly influenced attempts to reform executionary publicity.

Careful to avoid having the elimination of publicity thwarted by this question, as early as 1870 Adolphe Crémieux argued that rumors surrounding the convict's identity were not new, and that they were part and parcel of a whole mythology

with regard to the guillotine. And indeed, at the end of the eighteenth century, Louis-Sébastien Mercier described the skepticism of the lower classes who, during the execution of the Comte d'Horn, refused to believe that a "great lord" was being tortured, thinking instead that the prisoner was a paid soldier passing himself off as Horn.¹⁴⁸ According to Crémieux, however, the presence of bailiffs throughout all the stages of an execution would allow for "the identity of the convict sentenced to death to be confirmed as one and the same with the prisoner delivered to the executioner."¹⁴⁹ In the system that Crémieux recommended, bailiffs would seize the convict inside the prison, take him to the executioner, and cosign the court clerk's record of the proceedings. This concept of an "uninterrupted chain" of officials was also proposed by the lawyer Achille Morin, who mentioned that "court ushers" should follow the condemned man from his sentencing to his execution. Moreover, he added that an alternative record of the proceedings be signed by different civil servants, in order to compare the two records and confirm that the witnesses were not conspiring to disguise the convict's identity. In 1879 legal commentary on the Le Royer bill found that the identity of convicts could not be sufficiently guaranteed within the bill's provisions; a journalist (someone outside of the legal sphere) should be present while the record of the proceedings was being drafted. It was also possible that among the witnesses, no one could identify a certain convict. Likewise, it might be that after having undergone the "cruel emotions of the Court of Assizes," the prisoner would no longer be recognizable to those who had seen him before. Therefore, the magistrates who had passed the sentence should be required to attend the execution.¹⁵⁰

The same worry emerged in legal responses to the Bardoux study. Riom's court of appeals refused to eliminate publicity on the grounds that its disappearance would make the public doubt the reality of executions, especially "if the convict came from a higher class, or if he was believed to have powerful protectors."¹⁵¹ For the Court of Cassation, the presence of journalists among the witnesses would thus allow the public to be informed about an execution that took place behind closed doors and confirm that it was not a mere sham. In this arrangement, "the press will be the essential institution of the new form of publicity. No one shall be able to contend that the guilty party was not executed when generally impartial journalists will recount in a precise manner all the gritty details of the execution." Bordeaux's prosecutor ultimately followed the legal advice of his appellate court, but added that the new publicity regime had to be truly flawless, so that even "the most illiterate of individuals could have no doubts concerning the execution's unfolding and the convict's identity."

Commenting on the study conducted by the Société générale des prisons (General Association of Prisons) in 1885, René Quérenet dismissed the idea of execution victims being switched or sham executions being carried out. Nevertheless, he worried that the current bill relied only on witnesses who did not know the convicted criminal. Consequently, he suggested that the jury members who had voted for the conviction should also be summoned, and perhaps even the case's witnesses, as they knew the convict and could identify him.¹⁵² The relative circumspection built into the Bardoux proposal did not assuage the fear of condemned criminals being switched out, however. In fact, Édouard Drumont stoked this fear by including it in his political condemnation of what he called the "Republic of Secrets and Plots," of which the desire to prohibit executionary publicity was a symptom. According to him, it was likely that a poor criminal would be substituted for a rich convict during an execution.¹⁵³ During Henri Désiré Landru's execution in 1922, an officer from the Safety Commission reported that despite numerous pictures of the serial killer, part of the crowd still believed that the execution was a sham. One female newspaper vendor cried out "You all believe it, don't you! They propped up a wax effigy with a black beard on the guillotine. Go on! What a farce. This whole setup was well organized. 'Father' Clemenceau is a clever bastard!"¹⁵⁴ This last remark perhaps referred to the growing derealization of executions, a phenomenon that prevented spectators from comprehending what they saw, which we will discuss later.

Many were very reluctant to allow the press to cover executionary publicity, fearing perhaps that this would ultimately grant journalists complete coverage of any news about the death penalty. Permitting access to the press also meant delegating the traditional forms of publicity to new private agencies, supposedly designed to embody the beliefs of the masses. For those in the legal sphere, entrusting executionary accounts to journalists was seen as a sort of dispossession, whereas lawyers had hoped that public executions would still "belong" to them and be endowed with their own public dimension, the media then playing only a secondary role. Consequently, the first legal attempts to eliminate publicity were rather cautious with regard to granting journalists access inside the prison. Among the designated witnesses, the Steenackers bill included an editor from every newspaper in the town or department.¹⁵⁵ Likewise, the Le Royer bill foresaw a role for the press in the new legal publicity regime, for twenty media delegates would be included among the official witnesses.¹⁵⁶ The Bardoux proposal only wanted ten delegates, but still granted them a role.¹⁵⁷ The number of press representatives was also addressed in the associated

questionnaire, which asked the question directly and proposed more generous numbers than the Bardoux bill. Douai's appellate court argued that the number of journalists granted access to prison executions should not be limited, except in Paris. Likewise, the court of appeals in Agen ruled that one journalist from every newspaper published in the department could be allowed entry. Finally, the Court of Cassation suggested that ten journalists could attend an execution in the provinces, and twenty could attend one in Paris.

But the main point of the debate remained the role played by editors as major players in the public sphere. The prosecutor from Rennes contended that "modern publicity [was] incomparably broader and more complete than the crude and heavy-handed publicity our ancestors were used to."¹⁵⁸ Hence, saying that executionary publicity was going to be eliminated did not mean that executions would thus become secret affairs; on the contrary, thanks to the press, "executionary publicity [would] be much more certain, effective, and guaranteed than in the past. It [would] in fact be meticulously organized instead of being ruled by chance." The conclusion sums up the legislator's attitude quite well: "It would thus be much more truthful to say that the bill's sole objective is to eliminate spectacle." The Court of Cassation was likewise quite enthusiastic, writing that "the press shall be the essential agent of this new form of publicity." At the same moment that the press was growing and popular newspapers were prompting criticisms regarding the quality of the information provided and the potential manipulation of public opinion by journalists, these same forms of media were about to be granted the important functions hitherto entrusted to legal publicity. The issue was therefore to determine not only whether the new publicity provided by the press would be able to successfully replace the previous publicity regime but also whether this shift entailed a dangerous situation, whereby an exorbitant power was conferred to uncontrollable agents who frequently appeared to worry the authorities. In 1907, in his report on the abolition of the death penalty, Jean Cruppi criticized press-driven publicity. He argued that the publicity of an act no longer depended on the fact that it had occurred in public, but was now contingent on its echo in the press. Because of this, dissemination via the popular press would be worse than traditional publicity, which Cruppi was not yet ready to abandon: "Due to the mystery of an act committed in a prison courtyard, the photographs or sketches produced in this tragic enclosure would supposedly have the special gift of touching and overwhelming weak minds by describing or representing a horrible and unintelligible thing."¹⁵⁹

Cruppi apparently believed that the sight of an execution was better tolerated in an urban environment than indirectly through a narrative or an image. One specific disadvantage of press-driven publicity was that it permitted a much broader diffusion of information than legal publicity, which inherently limited the number of spectators. Accepting a change in the existing publicity regime in reality entailed expanding publicity and making newspaper writers its exclusive peddlers via the widespread dissemination of executionary accounts and photographs. In the bill concerning press-driven publicity that he proposed in 1909, the parliamentarian Hector Depasse, a radical-socialist close to Léon Gambetta, expressed concern regarding “this hitherto unknown form of publicity,” which alongside a few official witnesses,

permeates the deepest layers of society, disseminates to all corners of the country images of the guillotine and the death penalty, as well as photographs of portraits, and gives people a morbid thrill, for a penny, whether they live in a village or a city or the deepest countryside.

No one escapes ... this publicity; it reaches women and children, it introduces the guillotine into our homes, it follows us around and haunts us with hideous images.

To counter this form of publicity that would impose itself on readers who had not attended an execution and possibly had specifically chosen not to, Depasse suggested the sole article contained in his bill: “As soon as a death sentence is handed down, no portraits, photographs, or sketches of any kind of the convicted criminal shall be reproduced in any newspaper.” Elias Canetti wrote that “the rabble” continued to assemble, albeit in a reduced form, when an execution was described in a newspaper.¹⁶⁰ But this was a distant crowd that was no longer required to explicitly direct its gaze toward executions. During the Third Republic, even before it came into existence, press-driven publicity was gagged, leading many to conclude that no form of publicity was adequate—unless somehow there was a way to indicate that an execution had taken place, without anyone witnessing it.

In order to bestow a certain level of notoriety on executions in the context of a

new publicity regime by which executions would unfold behind closed doors, three main solutions were envisioned: raising a flag on the prison's pediment; publicly posting a written report of the execution; and ringing a bell at the moment when the execution was completed. In his bill, Crémieux borrowed the idea of the black flag and the bell from the Prussian penal code.¹⁶¹ But some fifteen years later, the parliamentary commission presided over by Bardoux rejected the "perhaps excessive solemnity" that simultaneously ringing the bell and hoisting a black flag would suggest.¹⁶² The questionnaire that followed the Bardoux bill cautiously mentioned "certain external signs" to publicly announce executions. Nevertheless, magistrates tended to support the use of a flag, on the basis that it was necessary to have some kind of visible symbol. Besançon's appellate court wanted a black flag on the prison and a "tolling bell" on the square as well as in the town where the crime had been committed. The court of appeals in Paris, on the other hand, suggested that the bells should ring and a flag should be posted outside the town hall, in the town where either the crime had been committed or the convicted criminal had lived. But for some other courts, this was too weak a sign and its publicity would not have the strength necessary to intimidate the populace. Riom's appellate court responded ironically to this kind of information, writing that "there is no guarantee that a potential criminal will walk in front of the prison just as the black flag is being hoisted or the bells are being rung."¹⁶³

The power of intimidation of executionary accounts was also limited. These written reports were a silent mode of communication that would transform executions into mere administrative acts. Adopting written accounts would signal a return to a traditional form of judicial activity that did not require showing acts directly. Executionary publicity would in this case no longer be exemplary, but rather informative. The posting of written accounts was included in the 1879 Le Royer bill and Bardoux simply repeated this provision in his. Nevertheless, Bardoux's report refused to sanction the absence of posted accounts, only suggesting that the execution's account be visible in the region's capital, in the town where the sentence was passed, in the parish where the crime was committed, in the parish where the execution took place, and in the parish where the convict had been domiciled.¹⁶⁴ Bardoux's report included a rather vague question regarding the measures to be taken to let the public know about an execution, but no written report ("procès-verbal") was ever directly mentioned. As a result, responses to the report largely overlooked the issue. From a somewhat isolated perspective, the Parisian public prosecutor suggested that publicity be conducted using large white posters, but did not specify if these

should be posted before or after an execution. But in 1885, in the context of a new commission, Bardoux revisited the question, proposing that on the day of an execution, its written account should be posted in all the prisons of France.¹⁶⁵ Since the public could no longer attend executions, information surrounding these events had to be disseminated throughout the various channels of justice in order to reach an even broader audience, ultimately re-creating the fiction of a people's assembly. Written accounts were designed to be self-sufficient. They would represent the totality of the executionary process, leaving nothing to be added. This totalizing dimension was what prompted the 1939 executive order to prohibit the press from publishing any details pertaining to an execution other than those contained in the official report. Article 3 of this executive order modified Article 378 of the Code of Criminal Procedure, stipulating that "no mention or document relative to the execution other than the official report shall be published in the press, on penalty of a fine of one hundred to two hundred thousand francs." By preventing the press from publishing anything other than the official message, administrative billposting was thus a means for the authorities to reclaim executions and control their associated imagery and information. Publicity was reduced to a notice posted on the door of the prison that had hosted the execution, and the media was no longer allowed to publish the detailed, gory accounts that it had provided during the nineteenth century. Subject to official publicity, the press could only report the certainty that an execution had taken place, and lost any other powers of information and direct observation.

Despite a long-standing appeal, the tolling of the bells was not adopted as a symbol of notoriety. In 1870 Crémieux conceded that this doleful sound was supposed to inspire a "religious fright" in those who heard it.¹⁶⁶ But despite a few leads offered in the answers to the Bardoux survey, the tolling of the bells seemed foreign to French traditions. Under the monarchy, torture and executions were never announced in this manner, and in the Republican tradition, drums were used to this end. Finally, even if during the 1880s, Republicans attempted to reclaim the use of bells to announce national holidays such as July 14,¹⁶⁷ execution bells were too similar to the death knell to be adopted without confusion. Employing bells as a form of executionary publicity would require inventing a civic bell tone, clearly distinct from its religious and funereal use. Of course, this carried the risk that if the endeavor failed or the tones remained ambiguous, the secularization of executions would be called into question. Finally, the use of bells could also be misconstrued as a "ringing out of joy,"¹⁶⁸ which would feed the crowd's frenzy—precisely what the elimination of

publicity hoped to control. England was on everyone's mind. There, publicity had been eliminated, but throngs still pressed up against the prison gates to witness an execution.¹⁶⁹

The inertia of publicity was very strong, and any potential change to the existing regime was seen as creating as many new problems as the ones it solved. The political inability of imagining a more successful regime than the one currently in effect as well as overcoming the general depiction of the death penalty (in particular, its requirement to be public and exemplary) meant that the question of publicity consistently returned to the top of the national agenda, without any laws ever being repealed. The 1939 executive order was not, therefore, the culmination of previous legislative projects, but rather the embodiment of their lowest common denominator: only ten or so witnesses would be granted entry into the prison, the press would remain outside, and the official written report would be the only document allowed to be published by journalists. In the case of executions, the Third Republic's ruling class ultimately did not wish to accept or contribute to the press's meteoric rise to power as a new form of publicity. If this were the case, executionary publicity could transform, passing exclusively through the clutches of the media, or escape it entirely and become once again the purview of judicial authority. The arrangement envisioned by Roumieu was in fact not very far from this, when it imagined executions unfolding in a silent prison environment devoid of all publicity.

The French scenario that we have discussed here is atypical: publicity was continuously and fervently questioned, and yet no political decision to repeal it was ever adopted by both legislative houses. Between the public attention garnered, the gradual easing of the penal code that often characterizes societies in the process of civilizing, and the use of a suppressive punitive technology, this technology won out for a long time. Parliamentary discussions and proposals, as so many attempts to depublicize executions, shaped a new use of the death penalty that forced publicity to comply with public expectations. At the same time, however, the shape that was consequently given to executions caused political uncertainty to persist, since the urgency of making a clear-cut decision disappeared once publicity was ostensibly under control and partially hidden. The political stakes of publicity and the ability to stage it in a way that was acceptable to the public sphere reflected both the penal uncertainties of the Republic and the conditions under which it was ethically acceptable to present such forms of secular punishment.

There was thus a long way to go from legal requirements to effective practices, especially when the law conflicted with public sentiment, and those in charge were themselves uncomfortable with what the law stipulated. Executionary publicity was not an easy tool to wield in the state's punitive repertoire, as it was subject to criticism and difficulties in implementation that were not immediately visible when perusing the Penal Code or the relevant statistics. With regard to public executions, the Third Republic heralded a reduction in voluntary liturgy, whether legal or not, which signified the waning of the old political-judicial rituals used in public. We will now investigate the ways in which public executions were viewed, not to verify whether what was presented and what was observed were one and the same, but to determine if the evolution of publicity, moving from spectacle to secrecy, owed as much to the manner in which it was presented as to the manner in which it was received.

CHAPTER 5

Watching Executions

Every gaze mediates a vision of the social,¹ and watching executions allowed for the expression of and recourse to new emotional conventions, which revealed that the public's approach to executions had changed. In exchange, the mobilization of these new sensibilities placed executions at a distance, transforming them into spectacles that were increasingly denied access to the public sphere. The sources analyzed herein provide an entry into what Alain Corbin has called the historicity of *cenesthesia*. Designating a general feeling of comfort or discomfort linked to internal sensations,² *cenesthesia* is an indispensable concept for understanding the sensibilities and social representations of the past. Although the executionary ritual preserved the same established forms throughout the nineteenth century, the rhetoric and attitudes shaping the public's interaction with it had changed. Participating in executions became less "natural" and less socially acceptable than ever before. On examining the historiographical status of these sensibilities, it appears that much of the debate revolved around the new feelings experienced by the elites, and their concern about the effects of such spectacles of violence. However, if we go beyond the bias disguised by these sensibilities, in particular their partial and poorly representative dimension, we can on the contrary use them to conclude that these sensibilities were so vehemently expressed precisely because they had been co-opted by the executionary spectacle. This signifies that the upper classes transcribing their "scaffold emotions" were quite willing to express their new feelings of disgust or suspicion with regard to executions, overruling the various internal obstacles that could have prevented them from publicly describing their mental and physical state when confronted with the sight of death.

Spectators watching executions now had a "troubled" gaze, which revealed a shift in the psychic economies and perceptions of those faced with a spectacle that was increasingly viewed as an imposition. Spectators were no longer watching executions in their totality, but focused instead on the major players,

especially the executioner. A source of fascination since the Middle Ages, the figure of the executioner became even more intriguing after 1870, when a decree established one sole executioner for the whole country. Moreover, the executioner's presence in the newspapers separated him from the executionary ceremony and helped to divert publicity from its intended use (according to the authorities) and transform it into an opportunity to see the executioner who had been making national headlines "in real life."

Executions were then swept up in a phenomenon of rationalization that eliminated their ceremonial dimension and focused on their main actor. This rationalization stripped away the illusions of executionary ritual and allowed for the development of new "scaffold emotions."

The Executioner as an Ordinary Figure

Since Hannah Arendt published *Eichmann in Jerusalem* in 1963, countless works have attempted to outline how ordinary individuals have been transformed into violent monsters in specific aggressive or critical contexts. The concept of the executioner has been broadly applied to any individual who acts as an instrument of political violence. The idea of an "ordinary executioner"—the product of the "banality of evil"—has likewise come to signify that the exercise of violence requires neither professionalization nor a special legal status. As the experiments conducted by Stanley Milgram illustrated, the capacity to become an executioner appears to depend on situational context rather than prior conditioning.³ The capacity to become an executioner would thus be shared universally, as long as the situation was conducive, in a context where violence was glorified and informalization, to use Norbert Elias's term, stripped away the mechanisms of self-restraint, thus freeing emotions and urges. The success of such analyses has led to general acceptance of the word "executioner" to mean all kinds of armed assistants of a regime, but it has also helped to obscure the traditional figure of the legal executioner, which still existed at the turn of the nineteenth century. And yet the executioner was first and foremost a professional, paid by the state though not considered to be a civil servant. In general, executioners came from just a handful of families that had specialized in the profession over the years.⁴ As a result, executioners no longer acted

gratuitously or out of cruelty. On the contrary, they were tasked with appearing dispassionate and administering violence in a peaceful context. Lastly—and this is an aspect shared by both the French Republic’s executioners and those of various totalitarian regimes—the figure of the executioner eventually lost most of the numinous medieval attributes that had made it extraordinary,⁵ ultimately moving, as early as the nineteenth century, into the realm of the ordinary.

This change in the way executioners were perceived in turn influenced the nature of executionary publicity. Once one of the main figures of the executionary spectacle became an ordinary sight, the act was stripped of part of its formality and ceremonial pomp, and left only with its inherently violent foundations. When regional executioners were eliminated in 1870 in favor of a single national executioner, this individual became no more than an ordinary administrative agent, responsible for the state’s dirty work. This individual was no longer the executor of lofty works, in accordance with his traditional title (in French, *exécuteur des hautes œuvres*, literally, “of high works”) but of “lowly works,” according to *Le Rappel*.⁶ Since the executioner had lost his venerability and power to intimidate, his desacralization ultimately transformed executions into bureaucratic acts that no longer required a public performance.

The Executioner, the Controversial Embodiment of Political Violence

The state’s fraught relationship with the role of the executioner can be illustrated by a series of laws passed during the nineteenth century, which consisted in gradually decreasing the number of executioners until only one remained for the whole country. Problematically, this physical elimination only served to condense the personification of political violence in the controversial figure of the executioner. Historically, the French government had shifted from collective executionary violence⁷—embodied by the Terror that engulfed the whole regime, acting through multiple executioners—to a progressively individualized form of executioner as the regime found its stability. Moreover, as the death penalty declined in prominence and prisons played an increasingly larger role, executions became less frequent and fewer executioners were necessary than in the past.

A royal ordinance dated October 7, 1832, eliminated the representation of each French département by an official executioner and implemented a reduced number of executioners covering only ten départements and Paris.⁸ A decree passed on March 9, 1849, established an executioner in chief at the head of each court of appeals.⁹ Finally, on November 25, 1870, the minister of justice, Adolphe Crémieux, passed a decree that imposed a single executioner and five assistants for the whole country. These individuals would work with only two guillotines, whose construction was also ordered by the same decree. Jean-François Heidenreich, thereafter also known as “Monsieur de Paris,”¹⁰ became the sole executioner. After his death, he was replaced on March 29, 1872, by Nicolas Roch, who took on the mantle of executioner “for the whole of the French continent.”¹¹ Roch died on April 27, 1879, and was succeeded by his first assistant, Louis Deibler, until the end of 1898, when the latter’s son Anatole took the reins (until January 1939). The longevity of the father–son pair led to the Deibler name being closely associated with the death penalty itself, and continuously present in the media. When Anatole Deibler died on February 2, 1939, his assistant Jules Desfourneaux (who was also his nephew) took the helm until his own death in 1951. Executioners received a fixed salary paid by the state. During the eighteenth century, they had lost the royal privileges allowing them to receive various tolls and tributes in kind, in particular from clergymen, to help themselves directly to natural foodstuffs in the marketplace (the “droit de havage,” or right to seize), and to skim part of the money made by the stalls open on execution days.¹² Most important, executioners no longer wore a discernable uniform, and instead resembled any other ordinary state employee, subordinates of the Directorate of Criminal Affairs and Pardons and, higher up, of the Ministry of Justice. Although assistants sometimes had other jobs, the job of executioner was a rather lucrative full-time position (the executioner’s yearly wages were around 30,000 francs during the 1930s).

A decline in yearly wages was established by decree on June 26, 1850, and we can also observe that in constant francs, executioners in 1939 made a lot less money than their nineteenth-century counterparts. The administration maintained a sort of “subscription” service with the executioner, whereby it agreed to cover all the expenses linked to the guillotine. At the same time, however, the administration also completely washed its hands of everything that concerned the material reality of the guillotine. Anatole Deibler’s personal archives contain a memorandum from the Ministry of Justice, dated December 31, 1904, that addresses his “submission,” and indicates how this issue was codified in Article 2:

Housing costs, maintenance, reparation, and even reconstruction, if necessary, of the scaffold and related materials, transportation costs for the scaffold and related materials when transportation took place outside of major rail lines, as well as moving costs were to be taken care of by the tenderer.

The latter was responsible for providing the horses and cars necessary to transport the aforementioned scaffold and materials wherever they were needed ... to transport the condemned individuals to the site of their execution, and afterward, to transport their body to the burial site.

In short, executioners were to bear all of the expenses they incurred in the service of providing executions, excluding the transportation of materials via railway, which were directly reimbursed to the rail companies by the Ministry of Justice.¹³

However, with his subscription fees and compensated train costs, the executioner's financial situation remained superior to that of other trades during the same time. During the 1880s, schoolteachers barely made 1,500 francs a year at the height of their careers,¹⁴ principal inspectors in Paris earned 2,500 francs per year, and city engineers made between 8,000 and 11,000 francs per year.¹⁵

When a single executioner became the law in 1870, the individual occupying this position was naturally singled out. The 1870 decree gave form to the romantic image of the solitary executioner, the sword arm of the state¹⁶—sometimes its mirror image. Regarding these two figures, Roger Caillois has observed that “birth separates each one in his grandeur or his lowliness but, representing the two ends of society, they are drawn to each other and tend to be joined together above the secular world.”¹⁷ But the contrast in nature between the sovereign and the executioner is a perspective that did not truly apply during the Third Republic. The executioner was seen as a mere employee of the secular state, no longer as a sort of miracle worker. Moreover, although the executioner was linked to sovereign violence, hatred for the latter was directed at the

executioner rather than at the president (or some other high-ranking official), making him a political target for the regime's opponents. In fact, far from being idolized, executioners were condemned for having selected a hateful profession.

As the embodiment of state violence, the executioner was subject to many threats, especially during periods of anarchist unrest. In fact, interest in the executioner as a person was accompanied by a journalistic attitude that would be unthinkable today: his home address was made public,¹⁸ no doubt because this information seemed, fascinatingly enough, to localize violence in the executioner's body and home. Executioners regularly feared being attacked. For example, in 1888, for the execution of Xavier Rocchini in Corsica, the Ministry of Justice followed the executioner's trajectory to Sartène, accompanied by his assistants and the guillotine, hour by hour.¹⁹ The newspapers described the special surveillance added for this execution, for fear of actions taken by Rocchini's supporters who hoped to stop the execution from taking place, either by attacking the execution site or by killing the condemned man before continental justice could be meted out. "It is undeniable that for Paris's executioner, this will be an eventful execution. Imagine that Deibler gets hit by a bullet destined for the 'patient' by one of his supporters, and there you have a never-before-seen drama," wrote *Le Petit journal*.²⁰ The archives of the Paris police prefecture contain an internal memo from 1892 describing a plot to kill Louis Deibler if he were to execute the anarchist Ravachol in Montbrison. In addition, it was stipulated that "[they] would not even wait for the day of the execution, the attack could take place immediately after the verdict was handed down by the Court of Assizes."²¹ Other documents attest to a planned kidnapping of Deibler: an ambush, followed by a getaway from Paris in a car. One note made by a police sergeant shows that Deibler was apprised of this kidnapping project and decided to remain inside his house throughout the whole Ravachol trial. One last letter also reveals that a kidnapping plot was supposed to take place on July 21, but failed due to the last-minute hesitation of some coconspirators. One coconspirator even went to Deibler's house and asked to see him; once the conspirator realized that the house was guarded, however, he knew that the plot would be foiled.²² Ultimately, Ravachol was executed without any incident on July 11, 1892, in Montbrison, near Saint-Étienne. But threats recurred whenever other anarchist executions took place. For Auguste Vaillant's execution in 1894, Louis Deibler placed the guillotine under surveillance, fearing a dynamite explosion: "The executioner was quite afraid that anarchists would attempt to destroy the pieces of the scaffold; he was therefore constantly accompanied by a squadron of agents."²³ For Sante Caserio's execution later that

same year—Caserio was convicted of “regicide”—police sources show that as soon as Deibler arrived in Lyon, he received constant but “discreet” protection; no “suspicious figures” were observed near his hotel or along his travel path, however.²⁴

The executioner was taken to task for being a representative of the sovereign and a figure of repressed violence. But it was as a result of executionary publicity that attempted attacks were even envisioned, for publicity exposed the executioner, his assistants, and the guillotine to the public’s gaze. And it is conceivable that the depublicization of executions was also driven by a desire to shield the executioner from attempts on his life. Nevertheless, the very idea that the executioner could be killed shows the extent to which his image had been tarnished. If the contemporary executioner still shared something with his medieval counterpart, it was the contempt tinged with fear that he inspired. The executioner was a feared individual, but also a *persona non grata* in the various cities he arrived in. Fearing attacks, Louis Deibler’s landlord gave him notice in 1892.²⁵ But it was especially hotel owners who refused to give a room to this “traveler of death”²⁶—either out of superstition or because they did not want to seem to support the death penalty. The executioner was frequently refused hospitality in provincial towns; as a result, the attorney general often asked mayors to requisition a room for the executioner and his assistants. This was the case in Montpellier in 1892, where for Joseph Martini’s execution, the mayor wrote to the attorney general that he had already requisitioned a hotel room, predicting that hotel owners would refuse to welcome the executioner in their establishments.²⁷ In Corsica for Jean Fazini’s execution in 1898, the executioners were housed in a requisitioned hotel room as well.²⁸ Nearly forty years later, however, for André Spada’s execution, unable to find accommodations anywhere, the executioners were forced to sleep on the boat that had brought them to Corsica.²⁹

Above all, the executioner remained a despised individual, criticized primarily because he was an avatar of the loathsome death penalty. In the only passage that he devoted to executioners (in the Middle Ages), Norbert Elias writes: “Their social position [as prostitutes] was similar to that of the executioner, lowly and despised, but entirely public and not surrounded with secrecy.”³⁰ Although it is surprising that Elias only mentioned the occupation of the executioner in passing and in comparison to prostitution, the contradiction that he highlights between social visibility and social disregard was still at play during the Third Republic. This tension began to tip in the direction of outright disdain toward the end of

executionary publicity, when the public began to reject the executioner's violence. Secrecy then came to the fore, in an attempt to conceal a contemptible profession and its acts. The executioner was a public embodiment of violence and, consequently, much like "public women," was a source of pity. Pierre-Simon Ballanche explains that by the 1830s, the executioner had become a "sinister and isolated creature ... horribly excommunicated" from the rest of society.³¹ Cyprien Roumieu pitied the executioner and was shocked by the opprobrium surrounding the profession, for "if the death penalty is legitimate, if it is necessary, if it is the only thing that can ensure the peaceful existence of society, then it is not cruelly illogical to attack the man who devotes himself to its repulsive functions and, in the public's general interest, becomes the living sword of the law?"³² A firm believer in the abolition of the death penalty, Roumieu concluded that forcing a man to become an executioner was a transgression against the laws of humanity.³³

After 1870, the figure of the executioner had lost almost all respectability along with the aura of mystery that used to surround the occupation, giving way instead to a barrage of critiques. He now embodied a form of intolerable violence that led J.-M. Lazare Caubet, Paris's former chief of police, to conclude that "the executioner is a scourge upon our era, [the profession] is in most striking contradiction to any true form of civilization."³⁴ Overlooking the fact that the executionary profession was largely performed by a handful of families for two hundred years, such commentators were no longer able to understand how one might voluntarily choose such a profession; they began to paint executioners as bloodthirsty deviants who used the guillotine to satisfy their reprehensible desires. Nicolas Roch's biography, despite being in favor of maintaining the death penalty, described the executioner as having "bloodshot eyes, purple lips and foaming at the mouth" after Catherine Gerbeau's execution in 1872.³⁵ The novelist Pierre Zaccone depicted an executioner who was forced to retire following the 1870 decree and was haunted by the acts he had committed during his tenure. To the protagonist, who has come to ask him about his past, he answers:

Ours is a horrible occupation, sir. When the bloody night of the scaffold loom ever closer, no one remains indifferent, no one is a skeptic ... I never performed an execution without being visited, for several hours, by the ghosts of all those that I had executed before.—Is this an impression that is unique to me—does the

same feeling of horror affect my colleagues?—I don't know—but as soon as I received the terrible order until the bloody triangle was raised ... my thoughts would be full of frightful visions ... and it was in vain that I tried to close my eyes to not see and my ears to not hear.³⁶

Although at the end of his career, Louis Deibler (Roch's successor) would suffer from a number of crises at the sight of the blood of the executed criminals, it was rare for executioners to express themselves in such terms. In fact, Zaccone describes the change in the public's attitude toward a profession that had fascinated previous generations. Even before publicity was eliminated, the public's relationship to executioners had definitively changed. The 1870 decree helped to transform the figure of the executioner into the sole vessel for executionary violence, unable to share this burden with other public employees and consequently becoming an utterly singular individual. And this figure was a troubling individual, as shown by the emphasis repeatedly placed on Louis Deibler's lameness and implicit references to traditional imagery that portrayed the devil with a limp. The executioner was ultimately a contemptible, archaic being who embodied political violence and the persistence of the death penalty.

Louis Deibler's son, Anatole, was almost an ideal-type candidate for professional executioner. His biographical trajectory and his long life demonstrate his participation in about four hundred different executions, either as his father's assistant or as lead executioner from 1899 to 1939.

He was born in Brittany on November 29, 1863. His father, Louis, had become the executioner in Rennes a few months prior, following in the footsteps of his own father Joseph Deibler, who had held the job since 1853. His direct ancestors had worked as executioners and skinners in the Württemberg area since the seventeenth century. Louis Deibler left Rennes for Paris in 1871, where he became Jean-François Heidenreich's assistant. He became the lead executioner in 1879. Anatole, however, tried to escape the executionary career laid out before him. He managed to have the exemption from military service that was granted to children of executioners waived, and joined the army in 1885. He then tried to become a merchant. Following his father's advice, he went to Algeria, where on March 1, 1885, he became the assistant to the local executioner, Antoine Rasneux (sometimes spelled Rasseneux), who was also his maternal grandfather. He then became second assistant to his father in Paris in 1890. He

finally succeeded his father on January 1, 1899 and remained head executioner until his death on February 2, 1939.

Deibler's long career, combined with the fact that he became the sole national executioner, prompted an unprecedented amount of media attention. This media coverage was like a supplement to legal executionary publicity, and posed numerous logistical problems when executions were being organized, as the executioner had become a unique figure, both hailed and threatened. Deibler's name became synonymous with executions. He cropped up in the tattoos of criminals and thieves, as well as in popular songs ("my heart goes to my mother / and my head to Deibler").

During his whole career, Anatole Deibler kept meticulous journals in which he recorded all the names of those he had executed, followed by a handful of details for each execution. In another series of journals, he also noted the trials that led to capital punishment sentences. Reading these journals reveals an executioner who saw himself merely as the last link in a judicial chain. Like many of his contemporaries, Deibler followed the various criminal trials of his era—and not merely to identify his future "clients." In his notebooks are many descriptions of murder cases and cases that led to the death penalty. This sort of judicial monitoring perhaps allowed Deibler to give his actions legitimacy: each time, he listed the crimes committed by the man he was executing. Deibler was not very interested in politics, but as soon as systematic presidential pardons began to prohibit executions from taking place, he added a laconic note: "during three years, attempts to eliminate the death penalty." At another point, he wrote that Corsican smugglers had been acquitted thanks to "political influence." He likewise did not make a moral issue of the death penalty, and treated the condemned individuals without much empathy—as seen through the epithets he used to describe them ("crooks," "depraved villains," etc.).

Generally, Deibler's tone in the journals is indifferent and bureaucratic. There is no trace of sadism, perversity, fascination for blood, or indulgent descriptions of death. Deibler brings an administrative eye to executions, clinical and cold, rather than an intimate account of his experiences. He never shares his personal feelings, sometimes merely making anecdotal remarks on the weather. He almost never mentions the work of his assistants or his relationship with them. He remains untroubled by the youth of some convicts, or by the media coverage to which he was subject. Up until the second-to-last notebook, Deibler made few observations on the actual execution process. But in his last journal (1932–

1938), he became more loquacious, describing the attitude adopted by some condemned individuals in their final moments alive.

From the executioner's point of view, there were no "great" condemned individuals, despite what the press may have led the public to believe. For Deibler, there was merely a litany of executions, of convicts, of jobs to complete. In line with modern research on brutalization and the banality of evil,³⁷ Anatole Deibler was a professionalized executioner whose only thoughts went toward fully accomplishing his mission, conscious of the responsibility weighing upon him, and not particularly wishing for his activities to be publicized. Even today, interest in Deibler has not disappeared, as seen by the number of books published on the executioner,³⁸ as well as the auction sale of his notebooks for €100,000 in February 2003.

According to Pieter Spierenburg, however, hatred for executioners emerged as soon as the occupation was institutionalized in the sixteenth century. This hatred was linked both to the fact that executioners wielded violence outside of the rules of knighthood, and that its existence prohibited private vengeance, which revealed the rejection of restrictions on violence in popular attitudes.³⁹ From this perspective, the executioner was less the sovereign's mirror image than the people's, whom he deprived of their collective right to control death. This is the argument put forth by Michael Houseman, who sees the executioner as the interface between the sovereign and the people: "Simultaneously the tool of the authorities and mistaken for those he condemned to die, the executioner thus presents himself as the public's positive 'double.' ... Instead of giving spectators an image of what they are, he embodies the relational conditions of what the event transforms them into while they participate."⁴⁰

What changed during the Third Republic, then, was that the very status of the executioner was now problematic. His partial identification with the sovereignty and total personification of the death penalty's violence were increasingly viewed as contrary to the depersonalization of public roles. The end of publicity can thus also be explained by the political desire to put an end to this isolated case of personification, by no longer allowing each execution to become the pretext for a barrage of criticisms levied at the executioner, ultimately to the detriment of the pedagogical ambitions that executions were alleged to contain. It was less a question of protecting the executioner than of shielding the guillotine, in particular from the abolitionist camp, which used the executioner to indirectly address the issue. But the public's growing rejection of the

executionary profession was also accompanied by its discovery of the person behind the job.

Desacralizing the Executioner

Proof of change in the public's perception of executioners during this period is copious and easy to find, especially since the executioner's attitudes, gestures, and "performances" were constantly discussed. Clearly, the figure of the executioner had lost some of its sacred luster, but to just what extent was the modern figure of the executioner heralded, such as it has been described in theories of the new forms of political violence that emerged during the second half of the twentieth century? When examining the body of research on this subject and determining what the term "executioner" can encompass, it is necessary to differentiate—which is not always done—between bureaucratic criminality, monsters "on paper" like Eichmann and other civil servants, and the transformation of ordinary individuals into killers of civilians or members of commandos who do not respect the rules of war (and are, in other words, physically responsible for a number of deaths). Executioners during the Third Republic belonged to yet another category, which borrowed elements from both of the aforementioned groups while remaining distinctly different. Because they were in direct physical contact with those sentenced to die, and because they (and their assistants) were solely responsible for putting those individuals to death, "Republican" executioners do not resemble our modern criminal bureaucrats who sentence people to die without ever having blood on their hands. But precisely because executioners increasingly came to be seen as ordinary individuals whose job was to kill criminals, these same individuals prompted growing public interest thanks to their journalistic notoriety, concomitant with the rise of the popular press in the last third of the nineteenth century. Likewise, they firmly established the discrepancy between the supposed majesty of executions and the fact that the latter were ultimately performed by an ordinary, small-time civil servant.

The figure of the executioner was desacralized, losing both a number of exorbitant rights and the public's belief in his magical powers. In the wake of the Revolution, however, executioners also lost the distinctive form and color of

dress that had designated their singular occupation. Legal anthropology has observed the distancing operated by judges' and lawyers' robes, and the latter's ability to allow for a professional ethos to emerge.⁴¹ Out in the secular world, executioners and their assistants no longer wore religious habits, unlike during the Middle Ages, when executioners were often depicted in tight leather garments, their faces hidden behind a hood. This sudden lack of characteristic clothing was observed and sometimes lamented. In fact, the executioner's assistants wore clothes that belonged to other trades. They were sometimes described as wearing denim overalls—usually worn by workers—or khaki uniforms, even though they were technically civilians.⁴² Later, assistants were described as wearing everyday clothes, a black jacket and a bowler hat.⁴³ As early as the eighteenth century, and perhaps even earlier, the head executioner was no longer required to wear a specific uniform. Louis-Sébastien Mercier observed that executionary publicity had thus lost an element ripe for inflaming the imagination:

Nothing differentiates this man from other citizens, even when he is performing his terrible functions; this makes a very poor impression. He is powdered, bewigged, and all dressed up in white silk hose and pumps when climbing up to the scaffold. This seems revolting to me: in those fatal moments, he should be wearing the imprint of death.⁴⁴

This phenomenon continued during the following century and before assistants began to dress like him, the head executioner appeared in all black, with a black hat and overcoat.⁴⁵

The loss of a distinctive form of dress can be interpreted as a twofold attempt at neutralization: first, at the neutralization of a traditional element of publicity, since the executioner's dress helped to emphasize the exemplarity of the death penalty; and second, at the neutralization by the executioner himself of what could reveal too much about his occupation and thus hinder his activities. The choice of a bourgeois form of dress showed that the executioner accepted the banality of his occupation, and distanced him from the scandalous aura that had traditionally followed him around. But in reality, not only were executioners unable to stand out, to mark their incommensurable distance from the criminals

they put to death, but in addition their new choice of dress was criticized for not being appropriate for the ritual. Jules Vallès found the executioner's appearance to be inappropriate and pointed out the discrepancy between the deadly ritual and the appearance of the individual performing it (in this case, Heidenreich): "Imagine a portly old man, with snow white hair and sideburns, a full face, fine hands, a rosy complexion, dressed like a good bourgeois with a slightly long frock coat and slightly large pants, wearing blue cotton socks, donning for the procedure a cap like that worn by bankers and bursars."⁴⁶

One of the main issues regarding executionary publicity was the image presented by the executioner. His appearance was misleading, and no longer corresponded to the accepted face of public executions. Numerous commentators kept trying to find the image of the Romantic executioner behind the neutral figure of the bourgeois employee they observed. The desire to resurrect the intimidating figure of the executioner was evident thanks to the use of a number of stylistic devices. For example, in *Le Figaro* Léo Lespès called the executioner Heidenreich "Hydendreck" in his long profile, in order to establish a link between the man's colossal height ("six feet tall") and his Germanic roots, "a name that truly predisposes him to a legendary fate, half Visigoth, half Saxon, and which would look beautiful written in Gothic script on the simple stained glass panels of the Middle Ages."⁴⁷ Just as explicitly, but sixty years later, the same newspaper lamented that the "Romantic executioner" had vanished:

Today, the executioner no longer wears a special suit; he doesn't wear a jacket with a vest embroidered on the front and laced in the back. He's a good little civil servant. People no longer point out his house in fear, no longer sign themselves when they go by. You can cross paths with "Monsieur de Paris" at the races or at the baths.⁴⁸

After *Le Matin* published a portrait of Anatole Deibler in his home,⁴⁹ where he was depicted as an unexceptional civil servant in a bourgeois setting, Édouard Drumont seethed on his paper's front page that such a description stripped the executioner of his terrifying attributes: "This is not how the previous generation viewed executioners: they saw him sitting in a sinister house, cloaked in an aura of terror and mystery."⁵⁰ The fact that the executioner's physical appearance was

neutralized also helped to neutralize the representations of him that had hitherto been popular. Ultimately, although the action of killing was still there, the person doing the killing was no longer recognizable, and no connection could be drawn with the image of medieval or even revolutionary executioners past. This shift did not occur solely because of the executioner's transformation into a civil servant but also because all the folklore that had enveloped this profession gradually disappeared, thanks to the growing rationalization of state action.

Henceforth, the media's portrayal of executioners essentially took the shape of critiques of their banalization and attempts to reveal what executioners were truly like once their professional mask was stripped away. There were countless examples of what executioners had become, now that their romantic trappings had fallen away. And such generic descriptions survived even as executioners successively replaced each other, because they were attached to the profession rather than the individual. Jean-François Heidenreich, still "Monsieur de Paris" at the time was thus described as having the appearance of a "cavalry officer";⁵¹ a few years after his death, the journalist Georges Grison would describe Heidenreich's physique as that of an "old retired colonel."⁵² Nicolas Roch was depicted as "any old bourgeois individual that you might see on a given day."⁵³ In an ironic abolitionist article, Louis Deibler was said to be an ordinary fisherman with a calm countenance, who "would not seem out of place on the side of the canal, fishing line in hand."⁵⁴ He looked like "a bailiff clerk in a frock coat,"⁵⁵ or "a craftsman going to church in his Sunday best."⁵⁶ The press contributed to this banalization, by insisting on the normal and ordinary appearance of the executioner and his assistants. Executioners were thus "humanized," cut down to their biological reality and brought back to the realm of mere mortals. During Victor Malavoi's execution in 1898, *La Dépêche de Brest* was struck by the executioners' ordinary appearance, describing them as "honest bourgeois men with an essentially peaceful disposition." A reporter followed the executioners for the whole day, including when they were engaged in activities that were unrelated to the upcoming execution, strictly speaking. He described their perambulations throughout the city, what they ate at lunch, and in the end no longer saw them as merchants of death:

Just four regular gentlemen; in short, "Monsieur de Paris"—we could even call him "Monsieur de France"—and his entourage. Wearing bowler hats, jackets, and large watch chains splayed out over their vests, these men look nothing like

the executioners of yesteryear, all dressed in red. It's true, in these figures you can no longer discern the cornerstone of society as observed by Joseph de Maistre.⁵⁷

When the elder Deibler died, the epithets that were used to describe him were even more pejorative, relegating him to the lower rungs of society. Marie-François Goron, a former head of Parisian security, depicted him as a “cobbler” or a “small-time provincial tailor.”⁵⁸ Similarly, Deibler the younger was compared to the “head of litigation at a large bank,”⁵⁹ a “head clerk in an office,”⁶⁰ or, at the end of his life, when he wrote an imperial-style beard, an “aged musketeer.”⁶¹

The romantic executioner was demoted to mere manual laborer, the charmless representative of various other professions, thus unable to “serve” publicity or help to deter crime by his sole presence. The executioner's gradual desacralization helped to desacralize executionary publicity as well, causing it to lose its luster, exemplarity and ultimately, everything that justified its presence in the public space. The “fall” of the executioner into banality in turn heavily influenced the desire of both the authorities and the press to hide executions, as their main protagonist was increasingly viewed as an abnormally normal individual.

Making the Executioner Commonplace

The banality of the “ordinary” executioners that would later shock political theorists of post-Nazism was already present in many descriptions penned during the Third Republic.⁶² The Republican executioner did not merely foreshadow the executioners of the second half of the twentieth century: he was their spitting image. What struck observers at the turn of the nineteenth century was the sheer facticity of it all: the possibility of reducing the executioner to his physical ordinariness, and then marveling at the distance between the seriousness of the executionary profession and its performance by men whose bodies and posture were nothing out of the ordinary. The executioner's body as represented by the

press was thus a surprise, and every time served to illustrate the increasingly bureaucratic nature of executions and the widening gap between their performance and the symbolic weight they were supposed to carry. The banality of the executioner's physical body thus became literally incredible for those covering executions, and even unbearable when the executioner possessed neither grace nor majesty. The "troubled" gaze directed toward executions was thus shaped by the tension between rejecting an excess of the executioner's humanity, and the impossibility of doing without the latter since the guillotine required human input. This explains a certain fascination for the electrocution trials held in the United States, where the "executioner" became a machine, merely activated by an "electrician."⁶³

The press was then surprised by—and rapidly condemned—the executioner's physical banality and occasional awkwardness, which could hinder his ability to successfully perform the execution. For example, Louis Deibler's stocky physique cost him some credibility. At Théotime Prunier's execution in 1879, Georges Grison described a "bumbling" executioner awkwardly performing his task.⁶⁴ The executioner's uncertain movements deprived the ritual of all fluidity and prompted fear concerning its successful completion. "Broad-shouldered, crooked and unsteady, arms dangling by his side and standing like he was leaning onto a wall," Deibler also seemed "edgy"⁶⁵ during the execution of Pierre Forgeaud in Bordeaux. His repeated missteps, recounted by numerous journalists, added fuel to the anti-publicity fire by representing the death penalty as something that even its purveyors could not control. After Henri Pranzini's execution, the newspaper *Voltaire* observed that "the individual whose job it is to cut off the head of the aforementioned assassin performs his task with even greater sluggishness than that of the head of security."⁶⁶ The elder Deibler's clumsiness not only served to exacerbate the criminal's punishment but also provided fodder for the antipublicity campaign. In an article ironically signed Dr. Guillotin, *Le Petit national* had already encouraged Deibler to retire: "Bring your posts, your bascule, lunette, mouton and blade.... If tomorrow, you're not a master of your art, I think you should leave it to someone else. Come and join me in Paradise and you'll see how pleasant it is to watch the guillotine from above."⁶⁷ *Voltaire* continued in the same vein, describing Deibler's "characteristic awkwardness." The paper explicitly called for an end to public executions, equating the executioner's sluggishness with other, more significant mistakes, such as "lifting the blade and having to restart an execution."⁶⁸ Some of the period's executionary narratives went even further: *L'Intransigeant* wrote, "Deibler works clumsily,"⁶⁹ and *L'Écho de Paris* noted that "Mr. Deibler pursues

his path of awkwardness” and works the guillotine “with a shaky hand,” before concluding:

But the current executioner’s clumsiness goes so far beyond the acceptable limits that people have tried to find another explanation. This much incompetence does not seem natural for an executioner.

Some have attributed Deibler’s cruel hesitation to violent feelings that drive him to refine the form of suffering.... I, however, believe that Mr. Deibler, a supporter of eliminating the death penalty, is doing everything in his power to cast shame on the kind of task that he performs in the name of the Law.⁷⁰

The executioner’s fatigue was thus read as the deterioration of executionary publicity itself, where the only thing that executions still projected was an image of chaos. The executioner’s function seemed superfluous in the context of an execution that was supposed to be rational and mechanical. Trapped in his strange profession, the executioner ultimately became an object of pity, as criminals forced him to commit legal murder.⁷¹ One local newspaper even thought that Deibler’s face “caused melancholia” outright.⁷² Harsher in his judgment, Georges Clemenceau saw little more than “a frail old man limping around,” a “gauche, shifty and unpleasant” individual whose appearance was ultimately fitting for his occupation.⁷³ If we are to believe the administration’s archives, these descriptions are not merely veiled criticisms of the death penalty. In particular, the younger Deibler’s assistants were indeed a pitiful sight. In a letter of May 21, 1906, Anatole Deibler asked that his assistants be replaced, on account of their health. Regarding his assistant Adolphe Deville, he stated that “given his advanced age, his intellectual faculties are now insufficient to accomplish his functions promptly and with composure”; but given that he was “rather well preserved for his age, he could possibly continue to help out with some matters during some time.” Berger was described as “a man who had long been afflicted by senility” and after a throat operation, his case was deemed hopeless. As for Édouard Desfourneaux, a seventy-year-old second assistant, he suffered “from attacks of gout; and inherently becoming a cripple, is no longer capable of fulfilling his duties.”⁷⁴ Though the request for replacements was not made public, the physical deterioration of Deibler’s assistants could be observed

by all. During the days of the elder Deibler, one journalist had already noted the smell of phenol—used as a medical disinfectant at the time—trailing behind one of the assistants.⁷⁵ The executioner's corporeality thus became a pressing issue during the nineteenth century, a sort of obstacle between punishment and its execution. People could no longer accept that such imperfect individuals whose motivations remained uncertain were the ones to mete out punishment. The question that would resurface when studying the voluntary executioners of totalitarian regimes was already being asked in the nineteenth century: What feelings did the executioner experience when he wielded violence?

Observers and journalists started with the executioner's psychology to understand the nature of the death penalty, in particular the ambivalence that allowed it to be a form of legal violence during peacetime. It was wondered whether executioners exploited executions to satisfy their homicidal urges or the death penalty remained a dignified legal ceremony, untainted by subjectivity. The public's response was not always the same: it varied depending on the executioner and society's changing attitude toward the death penalty, which ultimately determined whether the latter was criticized (when the executioner seemed to crumble under the horror) or glorified (when his dispassionate professionalism portrayed the act in all its efficiency). Roch and Deibler the elder were described as increasingly crushed by the executions that they performed. At the execution of Léon Vitalis in Marseilles, a local newspaper described Roch as being "highly affected," admitting that "despite being used to the process, for several days after an execution he was left with a very vivid moral impression of the legal act he had performed." According to the newspaper, the executioner's psychological weakness was a sign that the death penalty had truly become unbearable, even for the man in charge of doling it out. Regarding the guillotine itself, the newspaper concluded by saying "let us hope it does not operate for much longer."⁷⁶ Louis Deibler, whose sluggishness had been criticized as seen above, was also depicted as being deeply disturbed by each execution. Grison notes that the executioner was nervous during the execution of Pierre Lantz (convicted of killing his father) in Versailles, and asked for the journalists intimidating him to be pushed back, farther away from the guillotine.⁷⁷ For the execution of Pierre Forgeaud in Bordeaux, one local newspaper called for an end to executionary publicity by highlighting that Deibler looked "less steady than his predecessor." He "[was] so emotional that he was unable to respond to the questions asked of him," the article notes.⁷⁸ It was likewise a worn-out-looking Deibler who let the guillotine's blade fall after Florent Kœnig had violently struggled against his punishment.⁷⁹ Covering the

execution of Joseph Martini in Montpellier, one local newspaper talked about Louis Deibler's "strong emotions" the "night before performing."⁸⁰ A different newspaper indicated that it was an "exhausted" and "pitiful" man who guillotined Martini.⁸¹ The press urged Louis Deibler to retire: something he would ultimately do at the end of 1898, when as an aged widower (he was born in February 1823), he was apparently subject to anxiety attacks during executions,⁸² which doubtless explains what was perceived at the time as sluggishness or clumsiness.

Unlike Roch and Louis Deibler, Heidenreich and Anatole Deibler were portrayed as individuals who were indifferent to the violence of their occupation. Describing Heidenreich, a journalist for *Le Figaro* named Albert Wolff wrote that he "has the calm demeanor of a man with a clean conscience who has just accomplished his duty; he is merely exercising his functions. Any kind of emotions would seem like an affectation; cynicism would be disgusting."⁸³ Moreover, the younger Deibler seemed to be a reserved and secretive individual who said very little about what he did. During a visit to his home, *Le Matin* described "a model employee, remarkably diligent in a sometimes difficult occupation that required a large amount of personal initiative."⁸⁴ After a second visit, *L'Éclair* expressed surprise that Deibler's countenance "was in no way bloodthirsty"; the paper was ultimately won over by this individual who "kept watch over the health of Society." Only his eyes, "a murky greenish-blue and unsure, seemed slightly strange." Deibler spoke to the journalist about the social need for the death penalty and its exemplarity: "It struck fear in the hearts of criminals and provided security for honest citizens." In particular, when asked about his emotions during executions, Deibler was said to respond as follows: "None, sir. It's a question of habit. The first few times, yes, I felt unwell. But now ..."⁸⁵ A quarter of a century later, *Détective* reported Deibler as making quite similar statements: "Today for me, it's like a kind of surgery that I perform ... and I am no more moved by it than any medical professional would be.... Am I not the surgeon of Justice?"⁸⁶ A reporter from *Le Petit Provençal* was frightened by the response Deibler gave on the same subject: "No emotions ... I'm used to it. My father did this job and I followed in his footsteps. My conscience is clear. I have no regrets. My mission is a duty that I fulfill just like the attorney general and the jury do theirs."⁸⁷ Some descriptions also contained a hint of condescension. In *Paris-Soir*, one journalist, who had rented a room in the Deibler house by posing as a student, observed the executioner planting "in his ridiculous little garden" and noted that he had "no more desires" and was "probably a happy man."⁸⁸ In other papers, trivial comments about Lyon's "bad

weather” are put in Deibler’s mouth (for example, for the executions of Évariste Nouguié and Annet Gaumet).⁸⁹ On the occasion of Deibler’s death, *Le Petit journal* remembered the executioner as an individual whose profession had not altered his sensibility: “Deibler was the mildest and most ‘humane’ person in the world.”⁹⁰ Deibler’s notebooks confirm the image of a dispassionate man somewhat distanced from his professional activities. Containing “clinical” reports of trials and executions, Deibler’s journals never become diaries, and he never mentions his personal feelings or any hesitation or disgust that he might have felt when performing executions. He is mostly a technician, as is apparent in his “instructions for an execution” sent to the French colonies:

Once set up, the apparatus must be readied and tested.

The civil servant’s first task shall be to remove the mobile screw stopping the lunette’s spring. After taking this precaution, follow the instructions below.

Pick up the large rope equipped with a figure-eight ring. This ring must pass through the blade’s fixed hitch.

By pulling on the rope, hoist the blade up under the crossbar.

Check that the blade is no longer held up by anything other than the double spring clip.

Take both ropes, large and small, and pass them through the two steel hooks along the left side.

Place the large basket parallel to the platform and just below the tiled surface. Make sure that the tub-shaped zinc bucket is behind the apparatus. Around the bucket, place the wooden screen designed to contain blood spurts and splatter.

Raise the lunette by taking the iron handle in the right hand.

The guillotine is now ready.

The patient arrives. Tie the patient's arms and legs down, completely uncovering his neck and nape. Make the patient press his stomach against the vertical planks. While supporting the patient, the assistants push him by the shoulders. The plank tips forward and the patient loses his footing and ends up in a horizontal position, with his head next to the lunette. Roll the plank supporting him forward until the patient's head sticks out past the frame.

At this decisive moment, the civil servant placed to the left of the apparatus must have his left hand on the lunette's spring, and his right hand on the blade's lever. Press both at the same time.

The lunette falls and then the head. The blade immediately follows and performs the decapitation.

A simple push on the decapitated body rolls it into the basket.

The bucket holding the head is emptied into the same basket and then the cover is drawn.

Nota bene: Be sure to place the apparatus on a flat surface.⁹¹

Was Deibler ultimately one of those individuals for whom the use of violence never enters into conflict with a peaceful constitution? Executioners are a product of the bureaucracy of modern societies, whose subjectivity has been "put to the side," as notes Pierre Legendre,⁹² and is thus legally authorized to kill without consequences. But this subjectivity is only repressed during the actual period of violence. For example, Fernand Meyssonier, the last executioner in French Algeria, described himself as being rather sensitive, prone to crying during certain television shows, and unable to give his mother her daily shots. And yet he added: "Despite this sensitive nature, in the context of my duties, I could without any remorse kill criminals in cold blood."⁹³ And in fact, although Meyssonier did not make this connection himself, two of the occupations that he had after Algeria's independence were also directly linked to death: he became an exterminator and then a dog euthanizer in Tahiti.⁹⁴

Like his colleagues during the Third Republic, this contemporary executioner played on the emotional disconnect between professional mission and private life, thus explaining the behavior of torturers “who can simultaneously kill women and children in particularly gruesome ways, and still behave as good fathers and good husbands. This strict compartmentalization keeps them alive, gives them strength and eliminates any feelings of guilt,” claims Eugène Enriquez.⁹⁵ The executioner displaces his emotions in order to be more efficient at his job, if necessary by relying on a more or less shifting ideology of the need to physically eliminate criminals from society, but he is able to immediately resume a normal emotional state in his extra-professional activities. Recent historiography of the legal use of violence in war continues and nuances this analysis. Such research posits that the predisposition to kill, and the degree of brutalization experienced by civilians forced into uniform are not as great as previously thought, and that internalized fundamental taboos still continue to operate.⁹⁶ Nevertheless, an emotional disconnect persists, and the existence of a “professional culture” unique to wartime means that the use of violence, even in the absence of an internalized and established culture or ideology of war, can be viewed as an occupation, a “dirty job” that needs to be done properly.⁹⁷

Two criticisms emerge, however, when we apply such perspectives to the specific case of executioners during the Third Republic. First, these views do not concern executioners who were paid by the state; instead they focus on twentieth-century figures such as the bureaucratic criminal and the “ordinary” or “willing executioner” as identified in wartime or otherwise antagonistic contexts. This lack of interest is doubtless linked to the fact that state executioners appeared to be mere agents of a well-known system of repression. It likely also stemmed from the fact that such approaches heavily emphasized ideological conditioning.⁹⁸ In fact, transitions to executionary violence are not caused by previous indoctrination relative to a specific period or regime, but are instead the lawful product of peacetime. Rather than examining the violence of ordinary men in an extraordinary context, what should be analyzed is the violence of an individual who single-handedly detains the exorbitant right to kill, in an ordinary context. From this angle, the executioner’s “mentality” is no longer of great importance, as it neither allows us to infer a given society’s general relationship to violence, nor to explain the existence of the executioner-as-profession. On the contrary, this existence should be the starting point for interpreting the various representations associated with the executioner.

And this is where a second criticism comes in, regarding the interpretation of the

use of violence as a routinized professional obligation. From a political science perspective, we can, as Nicolas Mariot has done, argue that the performance of a stigmatized task would ultimately become a serious job, to be done properly.⁹⁹ But if violence can become a “trade,” then it is necessary to examine peacetime culture as well as the social and political conditions that can tolerate this profession.

New “Scaffold Emotions”

The feelings provoked by executions were explicitly distanced, insofar as they were an affront to more “civilized” sensibilities that preferred milder punishments and more gentle mores. But such feelings were expressed because their authors hoped they would play a role in the political debate on executionary publicity. We can thus argue that scaffold emotions were simultaneously challenged and politically instrumentalized. What is crucial is that the mobilization and public expression of emotions revealed widespread emotional and rhetorical investment in the issue of executions. The nineteenth century in fact saw the creation of the “sensitive man,” recalcitrant to visible violence.¹⁰⁰ The gradual depublicization of executions must be considered within the historical context of the growing rejection of visible violence in the public space. But the streets had changed just as much as sensibilities had. In general, urban space progressively tried to expel everything that was unpleasant to the senses. The triumph of public health, incarnated in Paris by Haussmann and his theories, pushed workers to the outskirts of the city and removed them from the bourgeoisie’s field of vision.¹⁰¹ The modern city was no longer supposed to show violence or traces of morbidity. It became gentrified, in the sense that the desired forms of public space were modeled on the private spaces of the bourgeoisie, plush and shielded from outside aggression. Most important, the concept of the sensitive man meant that the public sphere was to be a space for self-control, for individual “control over self-control”; as a result, it had to be stripped of all visible elements that could prompt deadly urges.

By isolating the emotions explicitly linked to the question of sensitivity to executionary violence, we can identify the “affective economics” underpinning them,¹⁰² in order to understand what kind of emotions, especially negative

emotions, executions provoked for their spectators. In addition to avowed disgust at the whole horrible spectacle, we also find squeamishness and somewhat false concern for the condemned individual. As the process of individuation grew stronger every day, spectators increasingly began to identify with the convicts and to reject the violence imposed upon them.

“Things That You Want to Know about but That You Don’t Want to See Again”

As Stephen Mennell has observed, structuralist historiography only pays attention to what is fixed and unchanging, and is thus unable to perceive the dynamics of change inherent to different societies.¹⁰³ Most important, this school of thought uses certain constants—such as state violence—as a pretext to justify the absence of a phenomenon’s evolution. The permanence of public executions should therefore not imply that public executions were not also caught in the middle of broader social changes. On the contrary, the public’s attitude toward executions changed dramatically over the course of the Third Republic, going from a certain kind of familiarity to a marked distance, in relation to decreasing levels of tolerance for violence in the public sphere.

Public executions acted on socially diverse and ambivalent sensibilities. Elite sensibilities took offense at executions being held publicly, and consequently criticized those in attendance. For example, for the quadruple execution of the Hauteffaye criminals, a new Republican penal attitude tried to establish its authority with regard to rural sensibilities, which tolerated interpersonal violence much more than urban sensibilities did.¹⁰⁴ The available sources illustrate that the clash between these two different sensibilities was instrumentalized: both to challenge executionary publicity and to allow the elites to express their disgust, distancing themselves from the lower classes and the latter’s alleged taste for such spectacles. However, the public’s relationship to executions was in fact much more ambivalent. Despite numerous obstacles and taboos, members of all classes could be found at the foot of the guillotine. In fact, ambivalence characterized the Third Republic as a period of transition between familiarity with and rejection of executions. This ambivalence could be clearly seen in *La Gazette du Midi*, when the newspaper reported on the execution of “Matraccia”

in 1857. The paper stated that attendance was massive—between fifty thousand and sixty thousand people—and included many women shrieking and fainting in terror when the blade fell. The article ends with the following words:

During this solemn and mournful moment, the crowd's attitude was generally more appropriate than in other cities. The men and women who had climbed on chairs to better see the bloody spectacle largely regretted their sad curiosity. Everywhere you could hear people saying that there are things that you want to know about but that you don't want to see again.¹⁰⁵

In addition to its moral disapproval of familiarity with executions, the newspaper also posed a problem that our archival sources cannot solve, regarding the identity of execution spectators. The statements made by prominent journalists at the time, chaplains assisting the condemned, and a handful of other officials give us the impression that participating in executions was something that individuals could experience multiple times throughout their lives. Although this is convenient to outline the social profile of the various groups that attended executions, it is impossible for us to determine whether each spectator was participating for the first time or was a “regular” at such events. And what *La Gazette du Midi* implies is that public executions were a onetime event for many. Executions remained terrifying and forbidden spectacles that people attended to experience fear, to see blood shed—so terrifying and effective, in fact, that a single execution would leave indelible traces in the spectator's mind. For example, Villiers de l'Isle-Adam, who wrote several short stories involving the guillotine, would go to executions to bask in their violence, so to speak, but would then remain haunted by what he had seen for a long time.¹⁰⁶ One way to measure sensitivity to visible violence is perhaps to remember that although the public in attendance at an execution was socially identical each time at an aggregate level, it was composed of different (and often new) individuals for each execution.

A second form of measurement, which the archives also make rather difficult to ascertain, could be the popularity of executions (judged by attendance). Even for major executions such as those of Michel Campi and Prado,¹⁰⁷ many police reports did not mention the public in attendance: either, if the execution drew a

large crowd, to imply that order had been successfully maintained, or, if the execution was poorly attended, because there was simply nothing of interest to report. Disinterest in the death penalty came about quite swiftly, given the familiarity with which the practice had enjoyed. After depublicization, when executions were held behind prison walls, only a handful of onlookers would gather around outside.¹⁰⁸

In France during the Third Republic, we should therefore not exclude the possibility that executions were seen as onetime events that spectators attended in order to experience strong sensations, but whose horror then prevented repeat attendance. Supporting this hypothesis are numerous accounts describing executionary participation as a painful experience causing strong emotional distress. The editors of *La Liberté* wrote that executions “cause[d] an insurmountable feeling of revulsion and disgust in all compassionate people,” believing that there were not “very many individuals [among their readers] who [had] attended such bloody spectacles.”¹⁰⁹ Not only was attending executions far from being seen as the norm, but “bourgeois” sensibility in particular—which historically left the largest record of its emotions—expressed dwindling appreciation for executions. For the journalists who attended executions out of professional obligation, the death penalty became a source of inflicted violence. During Jean-Baptiste Troppmann’s execution in 1870, the famous *Le Figaro* journalist Albert Wolff described the escalating emotional tension among the small group of journalists: “The bravest among us admitted that their resolution was about to falter. As for me, I felt like I would never be able to make it to the end, and yet one thought stopped me from stepping away: I thought about the children strangled to death by this monster.”¹¹⁰ Wolff artificially built himself up, finding the strength to withstand the execution, but when Troppmann climbed onto the scaffold Wolff preferred to hide behind the prison gates in order to not see him die. For Charrier’s execution, the reporter half-admitted that he did not see the execution, but merely listened to it: “The bascule, a click, a shudder that runs through you when you close your eyes and hear the soft sound of the blade slicing through flesh.”¹¹¹

Executions were seen as horrible because they forced people to experience strong emotions in front of other spectators, emotions that they then had to manage, stifle, and turn inward,¹¹² so as to not appear overwhelmed by the sight of violence. Most important, executions inflicted the mutilated and bloody body of the dead on the public. One journalist described an execution framed by a sensation of horror; at the mere sight of the van carrying the guillotine, he

“shuddered with horror” and when the blade fell, the entire crowd also “shuddered with horror.”¹¹³ This was not on account of paltry vocabulary, for the sensation of unease did not abate during the execution. The same words were used to translate the emotions experienced during the quadruple execution of the Pollet gang members: “As it has been described to us, the Béthune ‘slaughter’ leaves behind an impression of horror. Horror at this operation and horror especially at its ‘public’ nature!”¹¹⁴ But although the article criticized both the death penalty and spectators’ excessive emotions, other witnesses expressed horror at the execution and its instruments. The guillotine “is horrific to all,” wrote *L’Éclair*, regarding an upcoming execution. According to that paper, bias against executions, which had hitherto been the purview of only “a few free spirits,” was now shared by most.¹¹⁵

In Paris, when the site of executions became uncertain after the Grande Roquette prison was demolished in 1899, Ranson, a city councilor in the fourteenth arrondissement where the Santé prison would be built, said that “the population of our arrondissement, unwilling to see such repugnant spectacles in its midst—and whose consequences it justifiably fears—would happily be spared such a burden.”¹¹⁶ The neighborhood’s reluctance to host the guillotine stemmed from the idea that each execution would attract a seedy crowd that would have a “deplorable moral influence” on the surrounding neighborhood.¹¹⁷ In addition, however, the very instruments of execution were seen as degrading. The presence of the executioner and his instrument inspired “horror and disgust.”¹¹⁸ Georges Montorgueil transformed the guillotine and the executioner into condemned criminals, convicted by the “jeers” of the petitions “assaulting” them: “You wander aimlessly throughout the streets, without the necessary five stones on which to rest your feet.”¹¹⁹ These five slabs of stone, which had been used to prop up the guillotine in front of the Roquette prison, and which the Commune had pried up, *L’Éclair* believed were solemnly preserved by the administration. The newspaper was shocked that one could put a price on “the worst memories,”¹²⁰ insofar as the stones were reminiscent of more than a half century of Parisian executions. Some even worried that the stones would be reincorporated into the new execution site, thus setting off another cycle of violence. The instruments of execution were just as condemned as public executions themselves. *L’Éclair* declared that “as an instrument of execution, the guillotine is stained with muddy blood; it is dirty, vulgar, and base.”¹²¹

The contradiction between wishing to see death and the horror of actually witnessing an execution was at the heart of the evolution of executionary

publicity during the Third Republic. And this contradiction was produced by the clash between the internalization of one's own death and the preservation, more or less modified, of executionary publicity. Public executions remained a familiar sight, in the sense that all spectators knew what they were going to find, but they nonetheless became unbearable to watch. Attending an execution did not mean supporting the state's penal system; in fact, the political and judicial dimension of punishment did not constitute the spectacle's interest. If the emotions engendered by executionary violence were increasingly condemned, this was because the desire to see a criminal put to death was now complicated by the method's violence. The orgy of violence ultimately became "ridiculous," wrote Jules Simon in one anti-death-penalty treatise.¹²² Executions were "inhumane monstrosities" that cloaked the city in "sadness," *Le Petit Marseillais* noted about Georges Sarrejani's execution.¹²³ *La Presse* added that even if the crowd appeared to sing and laugh, these gestures were merely "masking their terror,"¹²⁴ an impression confirmed by numerous other accounts.

We can therefore read public refusal to attend executions as a sign of diminishing violence. This is the conclusion reached by Bruno Bettelheim, who used "the progress with regard to abolishing the death penalty and the fact that public executions were no longer highly prized spectacles" as criteria to measure an era's level of violence.¹²⁵ Elaborating on the same idea, however, Elias contextualizes it within the realm of spectacular emotions, writing that "we no longer regard it as a Sunday entertainment to see people hanged, quartered, broken on the wheel."¹²⁶ Faced with competition from other public ceremonies, sporting events and leisure activities, executions seemed to be undesirable, emotionally laden experiences. Most important, executions were caught up in the civilizing process. The profusion of descriptions criticizing the emotions felt during executions illustrated a turning point: until then, people had been able to experience these emotions without questioning them. As Elias explains, "Society is gradually beginning to suppress the positive pleasure component in certain functions more and more strongly by the arousal of anxiety," by relegating these components to the private sphere and transforming them into negative emotions: displeasure, repugnance, embarrassment.¹²⁷

This shift from pleasure to displeasure at the sight of death was also accompanied by more or less sincere concern for the condemned, a phenomenon that transformed public executions into a debate and illustrated the public's high level of identification with the violent punishments inflicted on others.

Squeamishness and Concern for the Condemned

In his analysis of the disappearance of executionary publicity in England, V. A. C. Gatrell hypothesizes that this disappearance was less due to a lowering of penal standards than to the public's growing refusal to be subjected to violent and unpleasant emotions. Watching executions provoked fainting spells, hysterics, and anxiety attacks, a sort of culture of squeamishness that advocated for the suppression of visible spectacles of violence.¹²⁸ Squeamishness as defined by Gatrell encompasses feeling unwell, disgusted, faint, or nauseous at the sight of certain images, in particular the sight of blood. The word also has a secondary meaning that refers to the condition of being excessively particular or scrupulous with regard to morality.¹²⁹ The word's two meanings are in fact not very far apart, one seeming to be the logical consequence of the other, if we accept that the moral rejection of violence is embodied in its unsustainability. Squeamishness is thus a kind of "sentimentality" (*sensiblerie*) specific to nineteenth-century British men and women, causing them to try to avoid difficult thoughts and feelings, and thus to depublicize executions. According to Gatrell, the influence of squeamishness on the English elite's criticism of publicity and on the 1868 legislative decision to eliminate said publicity was crucial. The disappearance of publicity can primarily be explained by the public's desire to appease its conscience by eliminating any occasions for witnessing violent spectacles. Squeamishness was not therefore due to a sudden civilizing spurt or to the rejection of criminal suffering. In fact, it was merely the product of a sort of shared selfishness, a refusal to assimilate the spectacle of violence. As a result, upper-class spectators who attended hangings despite their better judgment most often described the emotional effects that executions had on them, rather than focusing on the suffering of the condemned.¹³⁰ The call to eliminate publicity was thus based on the rejection of the violent spectacle and the obligation to attend, without much consideration for what the condemned suffered. In other words, it was a sort of feigned sensitivity primarily directed toward oneself.

Are we likewise to conclude, therefore, that when public executions were banned in France in 1939, the criticism of executionary publicity had little to do with civilizing trends in manners and the penal system? Within the corpus of

executions studied here, some elements suggest that the fate of the condemned received little consideration—or on the contrary, that public opinion generally sought to apply the law as rigorously as possible. For example, certain condemned individuals were forced to endure a long journey from the site of incarceration to the site of execution on the eve or morning of their execution. In 1875, Nicolas Labanvoye traversed the 70 kilometers separating Nancy and Épinal. The same year, it took Léon-Pierre Ruffin three hours to travel the 27 kilometers between Douai and Cambrai.¹³¹ But the longest transfer of all was Xavier Rocchini's trip from Bastia to Sartène, or 180 kilometers in total. The newspaper *La Cocarde* noted that Rocchini's final journey took thirty hours.¹³² A number of scattered references also suggest that the authorities exploited the application of the death penalty to add to the torture of the condemned. Abbé Faure, the chaplain of La Roquette prison, noted that Florent Kœnig's accomplice, Forget, was pardoned—but was not informed of this until after Kœnig was guillotined. With a certain sadism, Faure said: "It is very fitting that Forget will only learn of his pardon after his accomplice is executed, and that he will agonize, dreading the moment of his execution, listening to the sounds of his accomplice's last morning from the cell next door."¹³³ Faure even confirmed that, following the prosecutor's official order, Joseph Frey would be executed after his accomplice Pierre Rivière, for he was viewed as the instigator of the murder for which both men were condemned to die. "He will suffer through the horrible spectacle before receiving the final punishment himself. Such is the formal order given by the attorney general," Faure added, noting that he had nonetheless tried, in vain, to place himself in front of Frey to block his view of the guillotine.¹³⁴ While Faure's statements cannot be confirmed in the administrative archives, but only in contemporary newspaper stories,¹³⁵ it does seem that it was traditional to execute the leader of a gang last, as a way of creating hierarchy within punishment by forcing the leader to wait and watch the fate reserved for him. For example, Abel Pollet, the head of the eponymous gang, was executed last, after his three accomplices.¹³⁶ After Jules Bonnot died in a shoot-out with the police, his accomplices, missing a leader, were ultimately executed by age in ascending order, with Étienne Monier being decapitated last.¹³⁷ When the executionary ritual entailed some kind of chronological order, the authorities were often quite particular; they did not attempt to mitigate the punishments inflicted on those deemed to be the primary culprits.

In addition to the facts that the death penalty and transportation were maintained and that extra suffering was often purposefully imposed by manipulating execution order, there were also calls to reintroduce the whip for delinquents.¹³⁸

As a result, the idea that some kind of gradual mitigation of the penal system was occurring seems dubious at best. And precisely because the elites criticized executionary publicity rather than executions themselves, Gatrell argues that the civilizing process was able to displace or disguise violence without necessarily diminishing it. According to Gatrell, the fact that the death penalty was preserved, albeit without any publicity, demonstrates that humanitarian principles were not the driving force behind depublicization.¹³⁹ Although J. A. Sharpe admits that the evolution of publicity followed the evolution of the civilizing process, historically, English criminal law experienced alternating periods of leniency and severity that were not attributable to changes in sensibility. According to Sharpe, the elimination of publicity was a way for the upper classes to conserve the death penalty while arguing that the executionary spectacle had become a despicable, lowbrow form of entertainment.¹⁴⁰ In France, the preservation of a certain level of toughness in the penal system would thus suggest that humanitarian principles and the civilizing process only played a minor role in the criticism of public executions. Although the public periodically expressed revulsion at the idea of watching the condemned suffer, this was ultimately only the result of hypocritical squeamishness, which accepted the fundamental premise of executions but not their visible display.

It is possible to object to these conclusions on at least two points, however. First of all, Faure's "sadistic" remarks on Forget and Frey were in fact strongly influenced by a form of penal rationality that had nothing to do with sadism. When Faure rejoiced that Forget would hear his accomplice's footsteps on the way to the scaffold, he was merely noting an additional opportunity for atonement through fear, from which Forget would be able to benefit because he would not ultimately be executed. As was observed with regard to the Abbé Crozes, one of Faure's predecessors at La Roquette, the chaplain sometimes exaggerated for his readers any elements that could lead to repentance. And he framed Koenig's execution within the "Christian tradition of edifying deaths" that educated the living.¹⁴¹ Moreover, although Faure seems to celebrate the fact that Frey attends the execution of his accomplice Rivière, he nevertheless offers praise that this practice was not applied in the case of Quentin Allorto and Jean-Baptiste Sellier, which he describes as "a cruel and unnecessary aggravation added to the death penalty."¹⁴² As for the movement advocating for the return of whipping, it did not translate into legislative action. In addition, it was primarily proposed to save the youngest criminals from the death penalty. A second criticism is that Gatrell provides no criteria that would allow us to tease out, in the public's alleged concern for the condemned, what stemmed from

squeamishness and what stemmed from sincere worry for the former's suffering. Like Sharpe, who suggested that the growing leniency of English criminal law was simply an ideological construction dreamed up by Whig reformers in the 1830s,¹⁴³ Gatrell attributes all the signs of concern for the condemned to a "squeamish culture" that sought to preserve the delicate sensibilities of public spectators. In doing so, however, Gatrell is merely repeating the critique of sentimentalism that already existed at the time, lambasting the hypocrisy of spectators who, under the guise of pitying the suffering criminals, were in fact complaining about having to experience unpleasant emotions.¹⁴⁴ And yet, even if we cannot deny the existence of a specifically Victorian form of squeamishness, a number of concerns were observed in both England and France regarding the condemned that, not stemming from the question of publicity, cannot be attributed solely to the desire to remove violence from the urban landscape.

In addition, an entire subset of critical literature, philanthropic in nature, focused on detention conditions for condemned criminals: these conditions were criticized even though they were not public. The same was true for forcing condemned individuals to wear a straitjacket, a phenomenon that Adolphe Guillot described as "the beginning of the execution."¹⁴⁵ This practice was officially eliminated in 1870,¹⁴⁶ although it was occasionally still used in certain prisons for the most violent criminals. In a decree issued on July 6, 1870, the Paris police chief indicated that condemned criminals must always have short hair, in order to avoid a difficult and lengthy session of ablutions. It was also decreed that criminals should be wearing a collarless shirt at the moment when they were notified of their upcoming execution, so as to avoid having the executioner cut the collar off at the last minute.¹⁴⁷ Maxime Du Camp added several other recommendations concerning these final moments: shortening the distance from the cell to the scaffold; having the condemned individual perform his ablutions in his cell; waking the condemned individual up only fifteen minutes (rather than thirty minutes) before his execution, thus sparing him an overly long wait.¹⁴⁸ The letter sent by one reader in response to Edmond Locard's survey in Lyon *républicain* also suggested shortening the time between the condemned individual's wake-up call and his execution to ten minutes. Respect for the condemned required that they be killed "as rapidly as possible."¹⁴⁹ But the period of time that was criticized most vehemently was the duration between being sentenced to death and being executed.

Identifying with the Condemned

In 1847 Victor Hugo wrote that once criminal lawyers realized that there was a man under the “vile flesh” of the condemned, “pity came into the law.”¹⁵⁰ Hugo’s remark, on which he based his argument for greater penal clemency, was characteristic of the split that occurred between the mid-eighteenth century and the mid-nineteenth century and led to the emergence of what Hannah Arendt has called a “politics of pity.” The mobilization of a sensibility that extols pity is only possible when the public sphere possesses structures that authorize the expression of inner feelings, even and especially when the latter refer to difficult or unbearable elements and intend to influence criminal policy. According to Luc Boltanski, the very constitution of public space that gives shape to this expression is accompanied by the creation of a politics of pity, by allowing for the birth of a new public role, that of the “pure spectator” who does not participate in the action he or she observes and has no prior commitments, but has the capacity to simultaneously report “what was seen and how this personally affected and involved the spectator.”¹⁵¹

Historically speaking, the feeling of existing independently from all other individuals—a relative independence, naturally—could only emerge and gain value once feelings were increasingly repressed. This sentiment then appeared as a direct consequence of the civilizing dynamic: “What presents itself from one angle as a process of increasing individualisation is, from another angle, at the same time a process of civilisation.”¹⁵² We know the paradox of the individual who is completely dependent on chains of interdependence and yet has never existed so fully.¹⁵³ Nonetheless, Elias also adds a sensorial and spectatorial dimension to the notion of individuation. In his work *Mozart*, to illustrate the process of the individualization of feelings, Elias describes the act of listening to organ music and the contemplation of paintings, noting that the reception of a work was increasingly dependent on appealing to individual emotions.¹⁵⁴ In *The Loneliness of the Dying*, Elias takes the drop in attendance rates at public executions to illustrate how “the scope of identification [with others] is wider than in earlier times.”¹⁵⁵

The executionary spectacle of the nineteenth and twentieth centuries continued to question the value of the suffering body, now from the perspective of the individual and the inner self. Execution accounts from this period were filled

with both sympathy and empathy for the condemned. Such accounts tried to abolish the distance separating those who suffered from those who watched, by using imaginative devices that allowed some degree of fiction to creep into the narrative and permit observers to “re-create for themselves the feelings and sensations of the suffering individual.”¹⁵⁶ In fact, the suffering of the condemned was the subject of both consideration and a certain projection, based on the idea that the inner selves of the spectator and the sufferer were equivalent and could be legitimately compared. Identification with the condemned individual and the evaluation of his (or her) pain could therefore become possible. Spierenburg dates the development of this identification to the second half of the eighteenth century, when growing sensitivity to the violence inflicted on others transformed executions into distasteful spectacles, and when more and more individuals were seen as being “just like me.”¹⁵⁷ But there was nevertheless no “topic of denunciation” as such, because it was not a question of criticizing criminal justice but of pitying the condemned, by referring to a “topic of sentiment.”¹⁵⁸ The verbalization of affects occurred either through the critical description of the states experienced by the condemned individual or, more rarely, by the horrified description of the spectator’s inner feelings while imagining the agony of the sufferer.

The principle of identification with the condemned individual, in order to present his or her suffering to all those who did not attend the execution, was established and facilitated by a number of novels organized as monologues describing internal emotional landscapes. In France, Victor Hugo’s *Last Day of a Condemned Man* (original title: *Le dernier jour d’un condamné*), published in 1829, delves into the thoughts of a prisoner awaiting his execution. Hugo appears to have set out to accomplish the “program” he had outlined in 1823 in his early novel, *Hans of Iceland* (*Han d’Islande*). Describing the individuals that made up the crowd at an execution, Hugo wrote: “With ghastly eagerness they strive to read upon the distorted features of the condemned man his dying thoughts.”¹⁵⁹ The *Last Day of a Condemned Man*, identified in its preface as one of the very first inner monologues in the history of literature, thus strove to present the thought of destruction in its protagonist. The book was just as much the “intellectual autopsy of a condemned man” for the public as it was “a lesson for those who pass sentences,” the persecutors.¹⁶⁰ Thanks to Hugo’s literary and historical stature, this text was frequently mentioned in newspaper articles and became the reference point for imagining what the condemned must feel. Moreover, after Hugo’s novel, execution accounts began to focus on the moral and physical state of the condemned awaiting the fall of the guillotine.

In 1874, for the execution of a certain Correas, one local newspaper showed evident concern for the condemned man: “In front of the guillotine, which has stood a chilling, menacing sight since 5:00 a.m. this morning, we cannot help but think of the miserable wretch for whom it is destined.” And “we count down the precious few moments he has yet to live.”¹⁶¹ Twenty years later, even if “not a single voice” pitied Caserio, convicted of “regicide,” *L’Écho du Rhône* could not help but have a flash of insight into the moral torture Caserio had to endure and the staggering courage he needed to cry out, “Long live anarchy!” in his final moments.¹⁶² The paper wondered if the noise of the crowd had awakened Caserio in his cell. The same sort of concern was observed for Henri Languille’s execution: “For three nights now, a large and noisy crowd, calling for death, has gathered around the prison. These cries, Languille could hear them from his cell, and we can only imagine in what horror the condemned man has been living these past three days.”¹⁶³ For double executions, prosecutors began to insist that the second to be guillotined must not witness the execution of the first; sparing the condemned individual the sight of his imminent punishment became a sort of implicit mitigation measure of which prosecutors were proud.¹⁶⁴ For the execution of Jean-Jacques Liabeuf, *La Libre parole* witnessed the condemned man’s “incredibly intense and hoarse cry,” when he lay down on the teeterboard and the paper imagined the full force of the emotions he must have been feeling, and the horror of seeing himself die: “In that ah-aah-aah there was everything that a cry can express of anger and impotent rage before the blade fell. It was only a question of two seconds, but two seconds during which the condemned man was forced to endure truly inexpressible moral suffering; his eyes, which he kept open, had the time see the bucket into which his head would fall.”¹⁶⁵

For Eugène Weidmann’s execution, *Détective* insisted that its reporting was not sentimental—that is, the paper responded to what was the then-traditional critique of having recourse to the topic of sentiment.¹⁶⁶ The critique of sentimentalism, and thus of the disturbing pleasure readers sometimes derived, sought to challenge the purely descriptive ambitions of execution accounts by accusing them of being self-indulgent and adding to the spectacle’s horror by musing on the condemned individual’s suffering. According to *Détective*, “it was unacceptable to indulge in sentimental interest for this execrable monster”—and yet its front page was devoted to the criminal’s moral state while in prison. Hugo had revealed the interest in exploring the inner psyche of the condemned during their final days. As a result, narratives recounting visits to condemned individuals, their last meals and their last activities (writing a letter, taking communion, etc.) quickly became part of the “mythology” surrounding

executions, almost becoming their own genre. The newspaper stated that Weidmann was well-groomed, that he was bothered by his close, cramped quarters, and that he received postcards from female admirers. But as the date of his execution loomed ever closer, Weidmann began to seem “apathetic,” as if he had lost “all sensitive faculties.... At times, he seems in high spirits; at others, his cellmates increasingly say he looks depressed. We have even heard that just recently, the monster woke up with red eyes, as if he had cried all night long.”¹⁶⁷ When Weidmann was awoken for his execution, his apathy transformed into “religious fervor” and one newspaper described him as beside himself, feverishly taking communion until the end,¹⁶⁸ as if trying to avoid facing his death with complete lucidity.

In Laon, one local paper emphasized André Supply’s filial love, evidenced by the fact that this condemned man asked to see his mother’s photograph one last time before dying: “The wretch stared for a long time at the features of she who loved him so, and still cherishes him, and a huge tear rolled down his pale cheeks.”¹⁶⁹ After the execution of Jean-Baptiste Guiffaut, newspapers published a letter that the condemned man had allegedly written to his mother: “My dear mother, I have asked my lawyer to write these few lines to you to ask for your forgiveness, before I die, for all the sorrow that I have caused you. Please accept the most tender of caresses from your child, who has always loved you.”¹⁷⁰ *Le Petit* journal reported that Etienne Bordus cried a single tear when the chaplain mentioned his son.¹⁷¹ On this topic of sentiment, emphasis was generally used to depict a suffering and repentant individual terrified by the ultimate punishment to come. Although identification with the condemned led to concern for their suffering and the desire to fathom their inner psyche, it was only used to the extent that it could emphasize the condemned individual’s humanity and give meaning to what he endured: it did not, however, entail the spectator’s assimilation with the condemned. The public pitied the criminal who was about to die, but even this pity took the shape of an edifying narrative, in which the latter’s agony presented a “good death.” The persecutor—the braying crowd, the prison, the authorities—were not always clearly identified, and narratives preferred to focus on the portrait of the criminal, overwhelmed by the prospect of his own disappearance, thus pushing the topic of sentiment toward the “aesthetic topic,”¹⁷² in which the condemned individual’s painful expiation verged on the sublime.

Nevertheless, the repeated mention of the suffering of the condemned created an association between the death penalty and sadness, and was designed to have

readers empathize with the fate of the condemned and be emotionally affected. Identification with the condemned thus functioned as the basis for ever deeper exploration into the psyche of the suffering Other, as well as to denounce a form of the death penalty that produced pain and emotions that were no longer acceptable.

The Suffering Spectator

After the critical description of the states through which the condemned individual passed, the description of the spectator's successive mental states constituted the second dimension of the topic of sentiment. Here, identification with the condemned was merely the basis for introspection on the part of the spectator, the jumping-off point to describe the emotions that the guillotine produced in him (or her). This was highly visible in the account penned by William Thackeray in 1840, when the author attended a hanging. His text had significant effect in England, and can perhaps be seen as the English-language equivalent of Hugo's *Last Day of a Condemned Man*. Thackeray's "Going to See a Man Hanged" reveals the historical transition between traditional curiosity about executions and the new emotions being provoked: anxiety, shame, and repugnance.¹⁷³ Thackeray focuses primarily on what he felt during the execution, rather than on what the condemned man might have been feeling. Of course, he mentions Courvoisier, the criminal in question, wondering what the latter could be doing in the moments leading up to the execution, and then describes his firm steps up to the scaffold. But Thackeray is mainly interested in his own tumultuous emotions. Just before the hanging, he closes his eyes when Courvoisier's face is covered. He then says he was disgusted by the murder he just witnessed, and by the nonchalance with which a twelve-year-old girl had answered when he had asked why she was here: "We've koom [sic] to see the mon hanged!"¹⁷⁴ Concluding his account, Thackeray explains that he is haunted by Courvoisier's face: "I feel myself ashamed and degraded at the brutal curiosity which took me to that brutal sight; and that I pray to Almighty God to cause this disgraceful sin to pass from among us, and to cleanse our land of blood."¹⁷⁵ Victorian sensibility made the execution an unbearable spectacle, both because it involved putting a man to death and because suffering with him meant that the spectator was racked by painful emotions.

Like Thackeray, after attending Troppmann's execution in 1870, in his text Turgenev combined what the condemned man suffered and what he himself experienced while watching the execution. His attitude was almost identical to Thackeray's. He turned away at the fatal moment, and throughout the preparations felt shame grow inside of him, as though he were somehow complicit in the execution: "The thought that we had no right to do what we were doing, that by being present with an air of hypocritical solemnity at the killing of a fellow human being we were performing some odious, iniquitous farce—that thought flashed through my mind for the last time."¹⁷⁶ Although Dostoevsky criticized Turgenev for using his story as a means to gain admiration (since he claims to have not watched the actual execution¹⁷⁷), Turgenev's narrative skillfully remains in the realm of sentiment. By using his own mental state, rather than that of the condemned man, as the starting point for a critique of public executions, Turgenev condemned the state persecutor using nothing but his own emotions. Whereas Maxime Du Camp offered a sociologizing description of the same execution,¹⁷⁸ Turgenev denounced the death penalty and its publicity for attracting a seedy crowd come to satisfy its base instincts, the very sight of which inspired guilt.¹⁷⁹ Turgenev thus criticized the ability of executions to transform spectators into individuals guilty of an act committed by the state.¹⁸⁰ He blamed neither the curiosity that drove him there, nor the criminal's illegal act, but solely the executionary publicity that forced the public to witness the horror and thus experience difficult emotions.

One facet of executionary perception was thus turned toward the spectator's inner world, using his or her own suffering as both evidence of, and an equivalent to, the suffering of the condemned. Some spectators only identified themselves with the condemned in order to imagine what an execution would do to them. They thus expressed feeling the same things as the condemned individual. After Albert Philippe's execution in Paris, for example, one reporter overlaid his mental state on what Philippe must have felt while walking toward the scaffold: "I must go now.... It is daylight out. I would like to find a coach.... I am so tired.... My legs are weak.... It feels like I'm walking with as much difficulty as the other one, before. I must be pale like him."¹⁸¹ For the double execution of Louis Cadet and Emile Lœuille in Paris, a reporter for *Le Petit* journal wrote that the night was too beautiful for dying, and described what his heart would say if it was his own execution unfolding: "If we were given the possibility of choosing the hour of our death, we would no doubt chose any night other than last night." Then he wondered about what Cadet must be experiencing in the van, waiting for his accomplice to be executed first: "While he may not

see anything, he hears everything.”¹⁸² J.-M.-L. Caubet, former Paris police chief and a longtime abolitionist who had always refused to attend public executions despite his professional position, begins a long chapter on the death penalty by describing the quarter of an hour between when the condemned wake up and when they are executed. For him, this was the most horrible moment, the element that most justified abolishing the death penalty. Anyone who imagines “the cruel agonies imposed on the criminal” during these fifteen minutes would begin to feel “the deepest pity,” going so far as to forget “the actions that justified this horrible end.”¹⁸³ The criminal’s suffering determined the spectator’s suffering, and imagining the agony of the condemned overshadowed the alleged penal virtues of public execution. The very idea that the condemned suffered in turn liberated the spectator from any sort of adherence to the executionary spectacle, instead establishing a direct empathetic link between the watcher and the watched. Executionary violence thus filled the spectator’s mind, to the extent that this spectator’s recourse to the topic of sentiment erased the condemned individual’s criminal dimension, preserving only his humanity, and engendered tenderness and recognition for his suffering. Luc Boltanski writes that in these cases, “the spectator does not let his indignation speak but expresses the concern aroused in any sensitive being who considers the suffering endured by an unfortunate.”¹⁸⁴

Analyzing the sensibilities engaged during each execution brings us to four concluding observations. The first observation concerns the insertion of executions into the public space. The proliferation of expressions of repugnance and horror regarding executions does not allow us to establish any sort of familiarity with the spectacle for citizens of the Third Republic. Either this familiarity was already on the wane, as the number of executions dwindled, or it had in fact never been truly complete. Arlette Farge recounts eighteenth-century cases of executionary sabotage, and one specific case in which the authorities refused to torture four thieves in front of the window of a woman who had just given birth. The conclusion she draws from this case remains applicable to the nineteenth century: “The horror of death is constitutive of society and the frequency with which it is witnessed breeds no familiarity.”¹⁸⁵ In the nineteenth and twentieth centuries, it was always a surprise when an execution was held in town, and the spectacle of death was ultimately traumatizing. Continued, forced exposure to executions should not therefore lead us to believe that they were anything short of extraordinary spectacles.

The second observation concerns emotional investment in executions. Public

executions were polysemic spectacles, which some spectators approached as physical ordeals to bear, whereas others were disgusted by the display of horror. In both cases, the inherent violence of executions was neither denied nor completely silenced by ceremony or the political aims of deterrence and edification underpinning the practice. The executionary spectacle thus seemed an appropriate moment for the unfurling of new “scaffold emotions”: emotions that this time caused the public to turn away in disgust and deny executions all legitimacy. The spectacle also called upon the public’s imagination, which was ultimately used to increase the number of emotions felt. What the spectacle did to spectators was combined with the idea of what suffering did to the condemned. This new call for empathy helped to increase both the spectacle’s horror, by including the pain borne by its central actors, and the degree of identification with the condemned. The emotional limit that fascinated certain spectators was in fact an attempt to experience what one would feel if one were about to be guillotined. This idea was developed in “Les phantasmes de M. Redoux,” a short story by Villiers de l’Isle-Adam, in which the main character ends up being trapped in Madame Tussaud’s museum and comes across the guillotine used to decapitate Louis XVI. Deciding that he wants to know what the king must have felt, Mr. Redoux climbs onto the guillotine, lays down on the teeterboard, and slips his head through the lower lunette. But the upper lunette closes on top of him, and his head is now stuck in the machine. He panics, screams, faints, and grows old all at once. When he wakes, it is explained to him that the guillotine had no blade; the narrator wonders whether this episode was not a posthumous farce operated by the king on those who had the “hypocritical pleasure” of pitying him.¹⁸⁶ Identification with the condemned was thus the pretext for experiencing unprecedented sensations, if also the cause of genuine concern for the unfortunate individuals and what they were about to undergo. Sensibilities were therefore mobilized by executionary violence in order to challenge the spectacle’s horror and, simultaneously, to explore the range of emotions that such spectacles could provoke.

The third observation is that the unfurling of these sensibilities was only possible when greater attention was paid to the psyche, and publicized violence was rejected. The perception of executions was filtered through an analysis of the emotions they produced in the condemned, in direct spectators, and in those who reimagined the spectacle’s violence for themselves and others. Executionary publicity was increasingly rejected precisely because it exposed spectacles that provoked emotions that were no longer desirable. Publicity, it was argued, could lead individuals to sadism and to increased tolerance for violence, thus forcing

spectators to feel obscene emotions. The executionary spectacle created a “pornography of pain,” as Karen Halttunen has called it. Publicity was condemned because it allowed an instance of pain and suffering to exist in the public space, a spectacle that had traditionally been assimilated with cruelty and now ran counter to a sensitive culture seeking civilized emotions.¹⁸⁷ In a society where any public representation of suffering was seen as pornographic, such representation was condemned for forcing citizens not only to be witnesses but also to become both voyeurs and persecutors, experiencing disturbing emotions of which they disapproved. Our fourth and final observation is a consequence of this: the emotional use made of executions informed the civilizing process with regard to the issue of the death penalty. The growing attention paid to inner emotional states, the marked rejection of suffering in all social domains, and especially in medicine and criminal law, were all part of a lowered tolerance threshold for violence. The civilizing process relied on this lowered threshold when it began to question a certain number of hitherto broadly accepted social practices, and when it helped to redefine the civilizational norms with which new practices should comply. The depublicization process was thus caught up with the social demand for the despectacularization of violence and the infliction of pain on the condemned, stemming from the process of identification, which argued that the visible suffering of others attacked the public’s sensibilities. It was following the rise of identification that, in its relation to the death penalty, the civilizing process became first and foremost a process of depublicization.

The expression of sensibility to executions was staged. The least acceptable emotions were eliminated, taking into account the standards of civilization, and were thus never recorded in the archives: fascination and pleasure at seeing someone else die, for example. But such sociohistorical biases did not prevent contemporary spectators from expressing a certain number of other emotions. The available sources reveal the emotions that counted for individuals during the Third Republic and that they used to explain the relationship that they developed to executions, but also the political and legal system, which they believed their opinions could influence. Political authorities did not measure the emotional effect of executions solely via the physical occurrence of executions, but primarily through the narrative accounts that the press and opinion makers presented. Various case files requesting pardons illustrate exchanges between district attorneys and their superiors regarding a certain disconnect between what the central authorities were apprised of and the executions as they were witnessed by spectators. The emotional use of executions thus became a political gambit, used by those in power to measure the gap—a social gap, revealed by

the type of sensibilities that were mobilized—between the political and legal justifications for the death penalty and the influence of executionary publicity.

The mobilization of sensibilities reacting to pain and violence illustrates the desire to sterilize the public space, removing anything that engendered visions of horror and strong emotions. It can be linked to individual desire for emotional self-control, and avoiding the public emergence of traumatizing events that could threaten this self-control. Political decisions seeking to limit and then eventually to eliminate public executions can thus only be understood within this context of the social control of affect that executionary observers demanded of themselves. With executions now seen as a form of state violence that the latter could no longer control, the citizens of the Third Republic, or at least the elites among them, called on the state to depublicize what could trigger aggressive urges—as if this were a condition of citizenship.

But the authorities saw this new perspective on executions as a factor corrupting perception and blurring the meaning traditionally attributed to the death penalty. In the public debate, elites primarily expressed their discomfort with the death penalty. It is not merely that their perspective had changed: it had turned into a condemnation of the executionary spectacle. If perceptions and representations of executions changed, it was primarily because the public was now missing a crucial element: belief in the executionary spectacle. The public's gaze wearied of executions, and publicity was unable (or willing) to establish itself as a political technology with regard to the death penalty. In 1939, the executioner and the guillotine reached their lowest point and could no longer be maintained in the public space, lest they come to represent a highly visible and politically unprofitable technology of power.

CHAPTER 6

Hiding a Ritual of Obedience

From Legitimization to Civilization

Public executions were a way to remind the people of the differentiation engendered by political systems: what Pierre Clastres has termed the “division” between political power and its subjects.¹ As Jacques Lagroye has likewise argued, the gallows sought not only to instill fear but also to garner popular support, by showing how the penal system meted out punishments and benefited the people.² From this perspective, executions can be seen as rituals of obedience, involved in the symbolic construction of the relationship between rulers and citizens by attempting to force individual internalization of the state’s monopoly over legitimate physical violence. Historically, the most intensive use of torture and capital punishment by a sovereign power occurred during the sixteenth century, “during the painful birth of a new collective psychological economy, centered on obedience to a strong state.”³ When the foundations of the absolute state stopped being seriously challenged, these rituals of obedience lost some of their effectiveness. Nevertheless, it was not evident that, dressed up in more modern trappings, executions ultimately became “rites of membership,”⁴ visible in the popular masses’ familiarity with capital punishment. On the contrary, obtaining support was one of the major objectives behind preserving executionary publicity. In addition, we may question the interest that citizens had in devoting part of their free time to attending spectacles that were meant to terrify and edify them.⁵ Consequently, it becomes apparent that the logic behind executions was inherent in their very application, and was not determined by the level of support of its spectators (because they could in fact do without spectators, as after 1939). Therefore, executions were first and foremost rituals of power designed to state and prove that justice had been served. Publicity was a sufficient, but not necessary, condition for this to occur. As soon as publicity

could no longer obtain obedience and legitimize power, it was eliminated.

Attending Executions

Rather than trying to ascertain the conditions that made the participation of the public in executions possible, it seems more fruitful to consider this participation as an indicator of the era's sensibilities and standards of civilization. These spectators of the past, who only reach us through what was written about them, reveal the ways in which executionary ceremonies were watched and what was problematic about them. If we explore the hypothesis according to which depublicization was linked to changing attitudes toward executions during the Third Republic, it is possible to uncover the morphology of the death penalty through the gaze of its contemporary observers. We can also understand how the latter came to be a controversial political technology. To do so, we must sociohistorically contextualize execution attendance more broadly, considering the fact that the citizen's gaze constituted a dominant form of appropriation of public events in social and political life. Consequently, any changes in this gaze become visible and illustrate the extent to which executions, their lengthy proceedings, and associated incidents gradually became intolerable in a civilized public space.

The Spectator's Desire

Although in his seminal study, Gustave Le Bon spoke of the nineteenth century as "the era of crowds,"⁶ this was not solely because—as one often reads—he feared the advent of a democratic age ruled by the uncontrollable masses, but because the sudden emergence of visible crowds was also characteristic of his time. In fact, in the examples of crowds that Le Bon gives, such as trial juries or parliamentary assemblies, he expresses less worry and concern than when faced with the revolutionary masses. Gabriel Tarde, on the other hand, classified execution spectators in the category of "expectant crowds," silently waiting for

the condemned individual to appear at the prison gates without showing any signs of impatience (which would be useless, and likely to spread like wildfire throughout the group). This crowd, which only gathered to see a specific spectacle and waited patiently without agitation, was in direct contrast to the manipulated masses that could turn violent, such as during the Haute-faye massacre.⁷ Long after the Revolution, and thirty years after the Paris Commune, the phenomenon of the crowd was indeed still troubling, but it had also become an everyday fixture in many less riotous contexts.

The emergence of mass culture occurred in large part via the “spectacularization of city life,” wherein quotidian city events were transformed into spectacles worthy of interest, or into leisure activities, thus engendering a “society of spectators.”⁸ This inclination to “form a crowd” derived from the structures of the public sphere, where long-distance information was becoming a reality, albeit one that was constantly challenged by a desire to visually ascertain what had happened. The visual landscape of these citizens was in fact filled with mobs, queues, spontaneous gatherings, and mass movements every time an event was announced. Information had not yet been entirely relegated to the private sphere and still belonged to the streets, the cafés, the newspaper sellers and the rumormongers. These were not seen as informal modes of information transmission, but rather as reliable channels of communication. The lack of images from many events informed the desire to see things for oneself, causing crowds to congregate and observe. In addition to executions, several other events were generally very popular. For example, this was the case for funerals of national prominence, such as the funeral for the Duc d’Orléans in 1842, which attracted a crowd of forty thousand individuals, and Victor Hugo’s funeral in 1885, which drew between one million and two million people without incident.⁹ It was said that a million participants attended the centennial of the Republic’s proclamation in 1892, even if Olivier Ihl notes that most contemporary characterizations of the era supported the idea that civil festivities drew smaller attendances as the century went on.¹⁰ The presence of human tides was at times even visible when no specific event had been announced. For example, the serial writer Pierre Zaccone estimated that thirty thousand individuals wandered the streets of Paris every night, after leaving the theaters or heading to the dance halls.¹¹

With regard to political and legal activity more specifically, at least forty thousand spectators came out when the last chain gang was publicly dragged through Paris during the night of July 18–19, 1836, on its way to the penal

colonies in Toulon and Brest.¹² And likewise, fifty thousand people attended the funeral of little Marthe Erbeling, who had been murdered by Albert Soleilland.¹³ High attendance rates were generally so expected that the prefect Lépine took them into account when organizing the siege to capture Jules Bonnot in Choisy-le-Roi in 1912. The fear of seeing hordes of Parisians descend upon the scene even forced the prefect to hasten operations while capturing the villa where Bonnot had taken refuge. As soon as the villa where his accomplices Garnier and Valet were hidden had also been captured, “the barricades fell under the crowd’s surge, and people rushed toward these two corpses rehabilitated by death, full of shouts and indecent joy.... Crowds are ugly when they are cowardly. It’s one thing to watch the kill, but I don’t want to see the scramble for the spoils.”¹⁴ In Paris, the news was received as an event, and to satisfy the public’s curiosity, “coaches, tramways, taxis, and commuter trains brought individuals on pilgrimage to visit the sites. The only thing[s] missing were pleasure cruises.”¹⁵ One study in fact estimates the spectators at between ten thousand and twenty thousand during the siege of Bonnot’s villa, the number of spectators reaching forty thousand for Garnier and Valet’s capture.¹⁶ Visits to the Paris morgue were also a very popular activity, especially since for a long time anonymous corpses were identified by lay observers examining the exposed cadavers. Until this system was eliminated by Lépine in 1907, going to see the corpses was a “veritable popular spectacle,” which according to some newspapers attracted a million or so curious individuals each year.¹⁷ And since naming an unidentified body was seen as a civic act, these hordes of curious spectators felt that they could legitimately become valuable assistants to the police. “Professional observation was replaced by that of the masses,” as Bruno Bertherat wrote.¹⁸ And Adolphe Guillot marveled at the diversity of the public that came to this location: “young female shop assistants” who arrived in “joyful gaggles” to “have the time to look closely at the body described by the newspapers,” female laborers, wet nurses with children in their arms, a “young, tall and proud English lass,” Parisian street urchins.¹⁹

Execution attendance was thus part of the “cultural” practice of gathering in public to watch events unfold. As a consequence, we would only be painting part of the picture if we provided a single cause for the emergence of the crowd and sought to differentiate the type of crowd according to various events. In truth, the desire to be a spectator globally outweighed the nature of what was actually being watched. It is therefore not necessary to consider executions as singular attractions. And on the contrary, we cannot argue that spectators came to watch executions out of sadism and morbid fascination, or that they were

instrumentalized by government powers that used executions as “distractions,”²⁰ whipping up a cathartic, rather than revolutionary, frenzy in the crowd. Nicolas Mariot has astutely observed that support for the spectacle that structured the crowds at collective ceremonies was not the most significant element.²¹ In fact, it seems more fruitful to draw parallels between the periodic emergence of the spectating crowd and the kind of public space in which this practice was encouraged and validated. Even if the presence of a mass of spectators during executions already existed well before the nineteenth century, during the Third Republic this practice became part and parcel of the culture of the crowd. The formation of crowds, and especially of execution crowds, was on the one hand a sign of the general desire to obtain popular support for public ceremonies (parades, funerals, celebrations), and on the other, of the popular press’s wish to legitimize its areas of interest by demonstrating that these corresponded to the interests of the greatest number. By insisting on the fact that crowds often gathered at the scene of a crime, around the courthouse, and next to the guillotine, the mass press hoped to legitimize its own fascination with current events. By refusing to conflate the crowds that attended salacious events with the dangerous hordes described by Scipio Sighele and Le Bon, the popular press transformed them into a “mechanism of class reconciliation,”²² because, far from being solely emotional, these crowds as depicted in the newspapers helped to unite readers in a single empathetic community, faced with the threat of horrors, crimes, or catastrophes. Ultimately, this operation allowed a national public to be substituted for the local masses.

During the Second Empire, Marseille witnessed record attendance levels for executions, with fifty thousand to sixty thousand individuals going to see Matraccia put to death in 1857, and fifty thousand attending a triple execution in 1868.²³ This volume of spectators would not be exceeded during the following regime, when the most popular execution seems to have been Joseph Martini’s (Montpellier, 1892), for which the central commissioner spoke of forty thousand individuals patiently waiting five to six hours on the Place de l’Hôpital Général.²⁴ Significantly enough, this was the first execution in Montpellier in decades, so the spectacle’s rarity drew an exceptionally large crowd. For lack of a better way to measure spectator approval or support, does analyzing the number of people in attendance at executions allow us to determine a significant enthusiasm for the spectacle of death, rather than other public ceremonies? Would such an analysis allow us to describe the effects of the gradual depublicization of executions? Despite our access to a corpus of attendance records for 104 executions in 53 cities between 1870 and 1939, for several

reasons these figures do not immediately provide an answer to the two aforementioned questions. First of all, in many of the newspaper articles or administrative reports consulted, the number of people in attendance was not given. Although this number would have been a useful tool for researchers, it was not of much importance at the time, and the sole mention of a “crowd” was sufficient for journalists to note that a given execution had had an audience. The participation level for executions was not always politically motivated, and no group or party claimed responsibility or challenged “official” tallies, contrary to what sometimes happened regarding other political ceremonies. Nevertheless, it is not presumptuous to think that, in some of their reports, prosecutors tended to minimize the number of spectators or omit it altogether, in the hopes of demonstrating that order had been maintained and paying lip service to the central authorities regarding a drop in execution attendance rates.

Second, the numbers recorded are not reliable. Some stemmed from newspaper sources, which were all the more doubtful because estimating the size of the crowd was largely guesswork and journalists were not looking for exactitude.²⁵ And even when the figures were provided by a legal source, they were often based on different calculations. For example, we do not know whether or not the number indicated included the group of privileged spectators and journalists that were closest to the guillotine. Or maybe, only the popular masses behind this area are counted. Finally, different numbers regarding the same execution often contradict each other, with a degree of variation that is too great to permit any average estimate. For the double execution of Pierre-Désiré Moreau and Jean-Baptiste Boudas in Paris in 1874, *Le Petit journal*, openly hostile to the public’s presence, estimated there were six thousand people in attendance.²⁶ But the police reports for the same execution recorded a number at least three times smaller. The file preserved in the police archives confirms in passing that estimating the number of spectators was a largely imprecise affair. A series of small reports without headers, evidently penned by security officials on the ground, give numbers that are quite conflicting. One report estimated 2,000 to 2,500 individuals, another 700 to 800 people, and the last two around 2,000. The police officer who drafted the final report summarized all these notes and gave the final estimate as 2,000 individuals, which corresponds more or less to the average of all the previous reports.²⁷ We must thus always remember that all the figures in the corpus are, if not manipulated outright, at the very least not entirely reliable. Their ambiguity reveals the relationship to the omnipresent crowds that existed at the time. The popular masses were seen as a ubiquitous element of the urban ceremonial landscape, a colorful crowd that consistently

gathered around the scaffold, in the streets, at the scene of a crime: consequently, the crowd did not seem to merit any particular attention.

Finally, whether we look at the whole national territory or only its major cities, throughout the period studied the levels of attendance were subject to significant variations, which prohibits us from establishing any sort of linearization and thus concluding that executions were less popular than in the past. If, on the other hand, we consider cities other than the capital, out of 86 executions that occurred between 1865 and 1939 and for which we have estimated figures (this in fact corresponds to a little less than 15 percent of the total of executions that took place during this period), the average attendance rate was around 5,800 spectators per execution. Between 1892 and 1905, the majority of executions drew between 5,000 and 10,000 spectators, sometimes even 15,000, which was a higher rate than during the previous period. It is possible, however, that after a series of bills adopted by the Senate that sought to eliminate executionary publicity (in 1885, 1898, and 1905), newspapers paid more attention to the exact size of the crowd in attendance, and chose to mention it more frequently. The debate surrounding executionary publicity seems to have led the press to exert more efforts to monitor spectators, starting with attempts to tally their total number.

Fluctuating execution attendance rates can be explained by a series of parameters that discredit any attempt at attributing a singular motivation to spectator's decisions. These parameters could be related to the type of crime committed, the presence of simultaneous executions, or restrictions on publicity. Some reasons were much more banal. For example, the bitter cold during the young Georges Kaps's December execution in Paris accounted for its paltry attendance.²⁸ According to *Le Petit journal*, it was the rain that deterred spectators.²⁹ Still in Paris, the possibility that Sébastien-Joseph Billoir might be pardoned, as he was a decorated former military man, meant that very few people came to the Place de la Roquette on the day of his execution.³⁰ The complete hiatus in executions between 1906 and 1908 likewise explained the massive influx of spectators in Béthune when one occurred again in 1909. And in Bayonne, for the execution of Correas in 1874, it was the "rarity of such spectacles" in a city that had seen no executions since 1748 that allegedly drew the "enormous" crowd.³¹

Not only were attendance rates unpredictable and subject to a number of contingencies, but attendance was, moreover, far from always conferring an

inclusive nature on executionary spectacles. The “becoming” of the spectator was a conscious and voluntary act, governed by complex reasons for mobilization, but the support of participants was not an inherent condition. On the contrary, the public’s volatility and its low attendance rate for certain executions—which otherwise marked the culmination of major current events (such as the execution in Paris of Michel Eyraud, the protagonist of the Gouffé affair, which drew only three hundred spectators, according to the chief security officer³²)—reveal that executionary publicity did not necessarily represent an exemplary power, nor did it have the ability to exhibit the workings of justice. The masses only appropriated executions for themselves when the spectacle was worth their time, and not inherently because there was an execution. Covering the execution of Toussaint Gervais in Paris in 1876, a police officer remarked that part of the crowd had left the scene of the guillotine in order to go see a fire that was raging elsewhere,³³ thus revealing that the desire to be a spectator was greater than any single spectacle. We should thus impart nuance to the importance and effectiveness of executions as acts legitimizing the structures of power, insofar as their public and collective appropriation remained problematic. How then should we measure executionary enthusiasm, and determine what exactly it was that spectators witnessed during such spectacles?

Timing Executions

By far the least convincing indicators that we can consult to measure the evolution in execution attendance are the scattered remarks made by direct witnesses who had “the impression” or “the feeling” that fewer people were in attendance at a certain execution than the one that had preceded it, or who thought that executions were generally less popular under the Republic than during the Empire. Such comments were not rare, and they form part and parcel of execution narratives, which always sought to integrate each new execution into a continuum in order to understand it. For the double execution of Pierre-Désiré Moreau and Jean-Baptiste Boudas in 1874, a police officer noted that “it is not pointless to remark that the attitude and number of individuals that these kinds of spectacles normally attract are completely different from those that we saw during the last years of the Empire.”³⁴ For the Parisian execution of François Louis Anastay, the attendance of about 1,700 people prompted *Le Petit journal*

to write that the execution had provoked less interest than the legal proceedings, and that “the small number of people last night on the Place de la Roquette is proof of this indifference.”³⁵ Even if these statements indirectly illustrate what a popular execution might have looked like, they do not allow us to determine whether executions were truly experiencing a downward trend with regard to attendance and observation rates.

A second indicator can be found when comparing figures. The data suggest that executions were primarily an urban phenomenon: the average attendance rate for medium or large cities that hosted the most executions (Bordeaux, Lyon, Marseille, Paris, and Versailles, between 1870 and 1939) was higher than the national average: about 7,200 spectators for urban executions in these cities, compared to 5,800 nationally. This was also the case for Paris specifically, which saw an average of 6,900 spectators per execution during these same years. A comparison with other countries is not always possible, because the studies do not consistently mention the number of spectators present (out of a lack of interest or access to sources), or only do so when the attendance rate was exceptional. As a consequence, executions are depicted as the natural sites of important gatherings, although this was quite far from the truth. If we were to limit ourselves to only the nineteenth and twentieth centuries, a study of executions in the United States provides an estimate of between 30,000 and 50,000 spectators per execution during the 1820s and 1830s—that is, before the slow process of depublicization would eventually reach all the federated states.³⁶ Hugo Adam Bedau, an expert on the U.S. death penalty, suggests that depublicization was not accompanied by a drop in attendance. One hanging in the 1930s, a short time before publicity was eliminated, still drew some 20,000 people.³⁷ On the contrary, however, a lack of interest in executions was immediately noted as soon as these were confined within prison walls. And the first depublicized English execution likewise only attracted 20 spectators to the prison gates.³⁸

French execution figures and “records” were mostly lower than those for other public ceremonies during the period studied. Executions were ten to one hundred times less popular than when famous figures were enshrined in the Panthéon, or political figures died, or a national holiday was celebrated. Nevertheless, executions were not second-rate public ceremonies. To support this argument, one can turn to an original, though not entirely reliable indicator: the black-market price of renting a window with a direct view of the execution. Avner Ben-Amos notes that for Hugo’s funeral, the rental price for a window climbed

to several tens, even thousands of francs for a spot with a balcony.³⁹ For the Republic's centennial in 1892, the price was not quite as high, since Olivier Ihl found that windows could be rented for fifty to sixty francs, balconies for three hundred to four hundred francs, and a rung on a ladder (for the poorest of the lot) for only two francs.⁴⁰ Despite the fact that executions generally drew significantly smaller crowds than these two special events, the cost of watching one from a nearby window was nonetheless about halfway between the two extremes mentioned above. In contemporary newspapers we can read that a window to see Martini's execution in Montpellier cost one hundred francs, and it cost one hundred and fifty for Henri Van den Bogaert and Charles Zwervaegher in Dunkirk in 1905. And the price rose to three hundred francs for the execution of Jean-Marie Busseuil in Lyon in 1894.⁴¹ On the informal market, proximity to the execution site was highly desirable, but being a spectator came at a price.

Executions were thus not presented in the ceremonial foreground of the public landscape, in the sense that participation was not perceived as mandatory—but they were events in which visibility played a larger role than the desire to have a collective experience. In the competition between public events that the gawking spectators of the Third Republic structured, executions were not always the first choice. In reality, the phenomenon that affected public executions during the Third Republic was their new perception as a spectacle that conflicted with modernity.

This was apparent in the fact that executions began to be subject to official timekeeping, a general push toward speed and efficiency that only highlighted their slowness and transformed them into events that needed to be technically improved or risk disappearing. This manner of evaluating executions in fact became a way to measure public sensibility. During the nineteenth and twentieth centuries, the call for, and the subsequent invention of, speed considerably altered public perception of execution length. A “thermodynamic” relationship to the city and its organs led to the entire mechanics of the urban anatomy being measured for speed, in order to accelerate and rationalize everything as much as possible.⁴² Slowness had come to be seen as the enemy of the social body's optimal functioning. As George Mosse notes, the Futurist Manifesto published in 1909 made speed the measure of all things.⁴³ At the turn of the century, the perception of speed was changing and this was reflected in a series of inventions—the principal one being the railways, which replaced horses as the standard of mobility, and troubled perceptions to distance and time.⁴⁴ The death penalty was thus no longer accepted as an event whose duration was without significance.

Evaluating executions now meant the introduction of a new imperative of ritual efficiency. Moreover, increased public sensibility regarding the criminal's suffering meant that overly slow executions could no longer be tolerated.

The wealthy, who were closest to the guillotine during executions, often found the whole ordeal to be too long. Armed with their watches, these spectators could easily observe the blunders or delays that seemed to exacerbate the convict's suffering. The sensibilities that were triggered during these timekeeping operations reveal the extent to which the acceptable standards of speed had changed in just a few years, and to which executions were rejected when their total duration did not follow this new need for speed. By measuring the speed at which the guillotine blade fell as "exactly 75.562" hundredths of a second in a widely read article,⁴⁵ Maxime Du Camp indicated that the executionary process now had to be subjected to the general societal phenomenon of increased speed. This fascination with measurement and timekeeping was applied to the executioner's movements—whose rationalization was not a given—and to the time during which observers became aware that the convict could feel himself dying. The entire executionary mechanism thus appeared to come from an era that had never known speed. If Louis Houy's ablutions dragged on forever, this was the executioners' fault, as they "had bound the condemned man before stripping him of his prison clothes, and thus had to start the whole operation all over again."⁴⁶ Georges Grison criticized the slow pace of the little procession, even though the instant of death itself was horrible: "Oh! Such slowness! They feel around to place the footboard which serves to step down from the police coach ... the warden, the chaplain, their assistants all step out, one by one ... finally the convicted prisoner." The executioner Louis Deibler "has a moment of hesitation. It seems that he no longer knows what he's supposed to do; he's waving his hands left and right.... Finally, he touches the lunette's handle and the blade's handle at the same time."⁴⁷ Evaluating the speed of execution, in both senses of the word, had now become an integral part of the narrative, and it emerged as a way to criticize the death penalty's inhumanity. Deibler consequently became the most obvious target of demands for greater speed. Under the title "An Ignominy," *L'Intransigeant* likened the executioner's slowness to a return to older forms of torture. Already opposed to the death penalty, the newspaper also rejected the publicity of a form of punishment that was administered so slowly:

Forty seconds went by between Prado arriving at the foot of the guillotine and the blade's fall. Forty seconds! Imagine the dread and horror that poor man must have felt during this time, which seems so short normally, but must be so long for an individual about to die, in total possession of his faculties! ...

If Mr. Deibler is still enough of a man ... to be moved to the point where he makes the patient languish, let him give his job to someone else. What happened yesterday morning Place de la Roquette was horrible, revolting, and should never happen again.⁴⁸

After the standard for speed changed, the guillotine—which the Revolution had notably adopted for its speed and humaneness—became a paragon of slowness. Suddenly, everything seemed to happen in slow motion, each time worsening the condemned man's suffering in a frightening fashion: "Is it not horrible to see this man, almost naked in freezing weather, just waiting for Mr. Deibler to be ready."⁴⁹ The "fifteen or twenty seconds" during which "the executioner felt around" seemed "as horribly long as centuries."

Witnesses to executions broke down the process into two different periods to evaluate the duration of suffering: first, the time between the convict's exit from the prison and the blade's fall, and second, the time during which the condemned was laid out on the teeterboard awaiting the blade, up to the moment of death. In the difference between these two intervals, the very definition of what constitutes an execution was played out; that is, whether the punishment began as soon as the convict glimpsed the guillotine, or only once he was ensconced in the device. The longer duration of the first interval led to the perception of the punishment as abnormally slow and it triggered hostile sensibilities. This was especially visible in the case of double executions, when the presence of two convicts extended the whole operation. For the execution of the Thomas couple, *Le Petit journal* counted four minutes in all, which were made all the more horrible as the wife screamed and sobbed while she was being brought to the scaffold.⁵⁰ For the double execution of the soldiers Henri Nolot and Benjamin Tisseau, both condemned for a common-law crime, the same newspaper wrote: "In two minutes and forty-eight seconds, both heads had fallen."⁵¹ But Ambroise Pollet, executed alone for the crime of parricide, waited three minutes outside before finally remaining only "four to five seconds" on the guillotine.⁵² In most cases, the time that the condemned person spent prone on the guillotine did not

last longer than a few seconds, and the executioner's "remarkable promptness" was consistently pointed out,⁵³ as it accelerated and thus humanized the death penalty, bringing it more in line with the ideal of "punitive speed." The perception of the punishment's duration was linked both to new kinds of speed to which the eye had become accustomed and to previous executions that journalists had attended, thus activating a sort of observational memory of executions. During the double execution of Quentin Allorto and Jean-Baptiste Sellier, *Le Matin* wrote that Louis Deibler had "recovered from his mistakes" and that he now performed the execution "with all the desired rapidity and rectitude."⁵⁴ But the fact that a single full minute elapsed between the moment when Deibler seized the convict and the moment when he pulled the handle during the execution of Pierre Lantz in 1882 prompted Georges Grison to recall that "during the time of Mr. Roch, this barely lasted ten to fifteen seconds!"⁵⁵ The change in standards of speed made it so that "it only lasts, in reality, just a few seconds, but it feels like a century."⁵⁶ Unlike other ceremonies that could stretch out over several hours or even a whole day, and whose pace was never questioned, executions were seen as self-contained ceremonies, which could not be drawn out once their purpose had been fulfilled (a purpose that was always too slowly fulfilled, it seems).

The speed at which executions were carried out detracted from the desire to be a spectator, ultimately only providing access to a spectacle that was difficult to watch and whose ending was always too long in coming. Rather than familiarity with the guillotine, or a fascination with blood and gore, the perception of executions as an intolerable, because overly long, public ceremony clearly marked the disapproval that they now triggered. The slowness of executions was not necessarily a historical reality, especially when compared to the punitive speed of the *ancien régime*, but it was a new and convenient way to criticize the executionary spectacle. Lower sensibility thresholds for violence thus condemned a form of punishment that was neither swift nor efficient, and consequently in opposition to the desired standards of civilization. A number of executionary "incidents" would confirm that spectators now only retained the violence of the death penalty.

What Constituted an Executionary Incident?

An executionary incident was a malfunction in the punitive ritual that revealed the extent to which the latter concealed its violence. An incident could be an interruption in the execution's unfolding, and thus "the spell was broken," as Paul Friedland has remarked.⁵⁷ Or it could be a hitch that showed the chinks in the mechanism's functioning. And if these incidents were unpredictable, it was because they could stem from any one of the numerous actors involved in the execution process, whether or not each of these actors would have qualified it as an "incident"—for this is their own qualification. Consequently, alongside the condemned individuals who, according to the proverbial expression, died "courageously," and thus fed into the conservative representation of a martial relationship to executions, witnesses to these spectacles were overwhelmed by the fear of certain convicts and expressed empathy for them.⁵⁸ The comments that observers made after witnessing executions often emphasized the condemned person's pain and fear. A prosecutor thus recounted to his superiors that the condemned Pierre Mallet had cried, begged to live for a few more hours, and refused to step out of the coach that had brought him to the execution site.⁵⁹ Although this report was not made public, direct witnesses were still able to impart to their readers what had happened behind the four walls of the prison cell. For instance, Abbé Faure described Paul Gaspard, who upon the announcement of his execution cried out nonsensically and became violent.⁶⁰ Likewise, the convict Rabach Bedrat was seized by fury and yelled "Mommy!"⁶¹ But it was especially in front of the guillotine that anecdotes depicted convicts who fell to pieces. Faure recounts that the crowd was "painfully moved" by Florent Kœnig (1886), when it heard him sob and "cry out unremittingly."⁶² The era was also highly affected by one execution of a woman, Georgette Thomas, née Lebon, the last woman to be executed before the Vichy regime. Executed at the same time as her husband and convicted of matricide, she sobbed and struggled throughout all the phases of the execution. She moaned while her hair was being cut, which she then tied into two braids, asking that these be given to her children.⁶³ During the execution, she emitted "wild cries":⁶⁴

She had to be wrested from the coach, from which she obstinately refused to descend, just as, a moment before, she had refused to get into it. And she was carried like a dead weight ...

Thrown on the teeterboard, she struggled some more and shook her head under the lunette; an assistant had to grab her by the hair and set her neck in place while the blade fell.

A long scream of sadness and horror answered the blade's fall.⁶⁵

Like many others, this incident was caused by a disconnect between the desired solemnity of executionary pomp and the full force of humanity expressed by its central protagonist: the contrast between the guillotine victim's criminal act and her momentary, frightened panic. Tears in particular caused a fragile form of humanity to emerge within the executionary mechanism, fundamentally undermining it by giving the impression that the judicial power was striking an unarmed being and that another form of less painful punishment could be meted out instead. For contemporaries of the guillotine, if the condemned man cried, this was because the process was not efficient and was no longer the administrative act it had been designed to be, wherein the convict would experience self-punishment and implicitly accept his fate. On the contrary, the executionary machine appeared disproportionate when incarceration had already stripped the criminal of any potential to do harm.

But if the incidents mentioned above were often a matter of subjective judgment, in many cases the physical degradation of the condemned prisoner, which prevented him from walking and forced the executioners to carry him to the guillotine, always presented a problem. Relating the execution of Jean-Pierre Welker, *Le Petit journal* mentioned that the criminal collapsed when he heard his execution announced. He was so weak that the officials had to dress him entirely. He looked like a "living corpse," "no longer human," and was just a "mass that was dragged to the scaffold."⁶⁶ Similarly, Eugène Vinsonneaud fainted when he heard that his pardon was denied, and a doctor was called on to treat him.⁶⁷ Eugène Crampon was gripped with shock at the sight of the blade, "his knees became jelly, his face turned livid, and a death rattle escaped from his throat. The assistants had to carry him up to the guillotine."⁶⁸ In his speech given to the Chamber of Deputies in favor of abolishing the death penalty, Joseph Reinach reported on the "relative exemplarity" of punishment when the convicted felon was physically crushed by the perspective of his execution. Reinach recalled

how Jean Vodable (1890) began to shudder when his execution was announced and how “when the condemned man was thrown on the teeterboard, he was already half-dead. This was slitting the throat of something unmoving and pitiful.”⁶⁹ What spectators saw and what readers gleaned from execution narratives was rather far from the edifying story of a convict confronting the authorities or calmly accepting his punishment. When faced with ruined individuals, executions seemed disproportionate, only exhibiting a human being’s suffering. And although a certain kind of violence—embodied by the Reign of Terror, or when directed against the state—may have seemed to approach the sublime, and become “an instrument of communion with the principle of higher order in whose name it was justified,”⁷⁰ the violence contained in executionary publicity now only exhibited its crudeness and uselessness.

This change in the way violence was perceived was immediately understood by the authorities, taken in the broadest sense, who consequently began to closely monitor how executions unfolded and to gather information about past incidents. As the executioner was obligated to produce a result, which was his full responsibility once he took possession of the condemned individual, he was free to employ all the means available to him to carry out the execution successfully. Not only was he allowed to adapt the process to the circumstances in the case of an emergency, he could also act on the fringes of the law. This is how François Lemettré’s ablutions in 1872 apparently took place in a layperson’s house, near the execution site, and not inside the prison.⁷¹ Similarly, the dressing process for Antoine Charles Angelicus (1884), one prosecutor mentions, took place at the train station, because the prisoner had been transferred from Douai to St. Pierre les Calais and time was of the essence.⁷² Executioners could also resort to force in order to control the prisoner and lead him to the scaffold. In his notebooks, Anatole Deibler mentions that this occurred several times. Twice, with Joseph Vacher (1898) and with Henri Putigny (1935), the executioners were forced to carry the prisoners, who had refused to walk.⁷³ In Putigny’s case, Deibler adds, “in front of the teeterboard we were forced to violently push him, as he tried to throw himself backward.”⁷⁴ In 1930 Firmin Cipièrre confronted the executioners to delay his atonement, Deibler wrote. “As he was seized by an unprecedented fury and trying to bite and lash out, it was necessary to lay him down and be helped by three prison wardens, a total of seven people, in order to tie him up.” Once placed on the guillotine, he gesticulated and “he was decapitated with his head turned to the side.”⁷⁵ Rabach Bedrat struggled so much that “he had to be bound by force, then carried up to the guillotine where, folded in half and

lowering his head, he tried to set himself free, all the time crying out. This quite nervous Algerian, 5 feet 8 inches in height, had his head cut off while his body was doubled over, that is to say with his knees on the teeterboard.”⁷⁶ For the execution of Frédéric-Louis Moyse, Deibler admits that “this is the first time we’ve seen this kind of spectacle”:

Howling during the short walk from the prison courtyard to the execution site, asking while crying that his eyes be covered, which his lawyer did by putting his handkerchief over his face ...

Moyse convulsing, doubled over, refused to descend and walk, and with a strangely high-pitched voice cried out:

—No! No! He wailed and the assistants were forced to drag him up to the guillotine where his head was cut off while his eyes were covered by a white bandage, which is extremely rare.⁷⁷

Another authority that was worried about potential incidents was the Ministry of Justice, which monitored the functioning of executions and required prosecutors to explain the reasons for any mistakes. When the press alleged that an incident occurred during an execution, as was the case for Jean Laprade, elements of his file requesting pardon were brought into play. The young Laprade, only twenty years old and sentenced to death for having murdered his parents and his grandmother, was executed in Agen on May 19, 1879, in front of five thousand to six thousand people, who were unaware that an incident had apparently occurred when the executioner’s assistants took possession of the criminal. The prosecutor’s report from the same day only mentions the incident obliquely, noting that “as soon as he was in their presence [the executioner and his assistants], the condemned man expressed great anger and I heard that he showed a great deal of resistance toward them.” Once under control, Laprade submitted himself, and it was without further incident that he was “executed to death” after the bailiff read out his sentence, according to the minutes of the

appellate court clerk.⁷⁸ But the version given by the press was much more detailed. According to the *Journal d'Agen*, whose story was then picked up more or less faithfully by the national newspapers, during the struggle that he put up vis-à-vis his executioners, "Laprade was seized by eight strong arms, lifted up and laid down face first into the ground. But, during the hasty movement and because the force that they had had to exert was significant, Laprade's head violently struck against the cell's tile floor."⁷⁹ According to *La Constitution*, this struggle lasted thirty minutes, at the end of which "a warden took him by the hair and struck his head violently against the tiles. Laprade bellowed like a calf." Consequently, when the prisoner arrived at the foot of the guillotine, "his veil was removed and the public could see that his face had suffered violent contusions."⁸⁰ In a press release, the Havas press agency asserted that the statements of the national press were false, and the local newspaper then protested against the information delivered by Havas. Finally, after a parliamentary representative had asked the minister for an explanation, the prosecutor replied to the minister of justice that if something happened, it was at the moment when the executioners got hold of Laprade and that "it was feared that at the last minute, this man endowed with prodigious strength, would desperately resist."⁸¹ It should be noted that the ministry preserved all the documentation relative to the request for pardon, including newspapers, and asked for supplementary information regarding what we might call today a publicity blunder. In addition, it is significant that the alleged mistreatment of a man sentenced to death, even if this mistreatment was to gain control of him, could not be made to disappear by the judicial powers, especially when spectators were able to see the vestiges of the blows.

These incidents were nevertheless among the most visible, and their status remains to be examined. These were malfunctions in the executionary mechanism that transformed an execution into a horrifying spectacle. This type of incident, which fed the mythology surrounding the guillotine, was periodically reported during the Third Republic, only to be fervently condemned. During the double execution of Philippe Levaineur and Pierre Lasserre, the guillotine's blade stopped for a few seconds during its descent, while Lasserre was prone on the teeterboard. The prosecutor sought to downplay the crowd's reaction: "The dread that the assistants felt was agonizing, but lasted no longer than the thought of it."⁸² *Le Petit journal* wrote of "an atrocious scene" during the execution of Henri Hamet who, seized by a convulsion at the last minute, was decapitated sideways, while his "blood gushed" everywhere.⁸³ The same newspaper stated that during André Spada's execution in Bastia, the blood

sprayed very far: “An infantryman had his uniform stained. A man had blood splattered on his face.”⁸⁴ For Rakida Abdelkader’s execution, the blood “dyed the streets.”⁸⁵ Although the prosecutor mentioned no incidents, according to various sources, the body of Aimé-Thomas Barré did not fall correctly into the basket after his execution:

The scene went beyond the most horrible of imaginations; the head fell as normal into the basket, but the body, no doubt because of a final jerk, only half-landed into its basket; the shoulders were sticking out, resting on the basket’s lip, and a huge gush of blood splattered over the assistant’s clothing as he, as customary, moved toward the basket to tip the head into it.

Roch jumped toward the torso, tackled it, and threw it into the basket. The assistant, who was tipping the head in, was soiled with blood, the lip of the basket was dripping with blood, and the teeterboard itself was dyed red.⁸⁶

Le Cri du peuple accused Louis Deibler of clumsiness when he dropped the head of Léon Jean, which then rolled in the mud in front of the spectators. “We have never seen anything so terrifying,” the newspaper concluded.⁸⁷ The same year—the geographical distance here allowing journalists to resort to more crude descriptions to condemn executionary violence—a double execution that turned into a massacre was reported. In Oran, the executioner was forced to decapitate the prisoner with a saw, as the blade had not cleanly cut off his head.⁸⁸ In Dunkirk, in 1905 the double execution of Henri Van de Bogaert and Charles Zwertvaegher gave rise to a vivid description in *Le Petit journal*. Following these incidents, the crowd took hold of the bodies of the two dead:

Swartewaeger’s [sic] corpse was cut up, fully clothed, into seven pieces, and his entrails were put into jars; the corpse of Van den Bogaert was divided into nine pieces.

These sixteen pieces were then placed into a packing crate, which was transported on a cart to the train station and sent to Lille like any ordinary package.⁸⁹

Neither the prosecutor nor other newspapers confirmed such serious allegations,⁹⁰ and one contemporary author simply mentioned that the crowd had stormed the barricades to try to remove the corpses.⁹¹ Such episodes of unruly behavior gave rise to an interrogation of the Ministry of Justice by the Radical Socialist representative Adolphe Messimy, regarding the question of the elimination of publicity. This questioning condemned the “revolting scenes” of the double execution in Dunkirk and led to a discussion regarding the Strauss bill (adopted by the Senate in 1898), which was placed on the Chamber’s agenda.⁹² This was a legislative endeavor that, from a Foucauldian perspective, established a direct causal link between executionary unrest and the elimination of publicity.

Outlining the morphology of sensibilities toward violence based on the perception of these various incidents requires understanding them as a shocked reaction to the violence within violence. The perception, perhaps even the description, of an executionary event as an incident simultaneously reveals what a society considers to be acceptable or intolerable with regard to violence. In our case, the accepted standard of violence was exposed by the incident, which was forcibly redefined, not as an objective element of the executionary ceremony, but as what was offensive to public sensibility. In this light, incidents are an indispensable element for understanding why, if the death penalty still remained visually tolerable, some of its dimensions appeared to be brutally outside the bounds of civilization. Executionary incidents can thus be analyzed as sociohistoriographic indicators of public sensibility in at least three areas. First of all, in the political realm, the incident—or the transformation of an executionary gesture into an incident—was exploited politically in order to influence the issue of preserving or abolishing the death penalty, as well as the issue of its publicity. As in the Van den Bogaert and Zwervaegher affair, which led to a new vote in the Senate in favor of depublicization, executionary incidents that have recently occurred in the United States have been subject to extensive media coverage seeking to condemn the death penalty’s violence. Executionary incidents can thus be seen as the emotional retranslation of political investment in violence and the law.

Second, following the approach proposed by Norbert Elias, it is possible to wager that incidents triggered stronger emotions than those generally provoked by executions alone. Visual confrontation with a more intense violence than

usual prompted an emotional release that threatened a loss of self-control. The perception of an incident was a menace with regard to maintaining equilibrium and self-control,⁹³ consequently forcing it up a notch. Perhaps it was due to the difficulty of maintaining self-control in such tense situations—and Elias never stipulated whether self-control would possess limits when the chains of interdependence continually increased—that the demand for the elimination of publicity or the abolishment of the death penalty was born.

Finally, it is possible to use the incident to transform an act of state violence into a political issue, paving the way for the adoption of a new, more civilized norm of judicial action. This would allow us to explain the period's sensibility (as well as public opinion today) with regard to what seemed to go beyond the bounds of legitimate violence, as one of the shapes taken by the civilizing impulse that sought to raise the standards of acceptable political violence. Incidents thus revealed the political conflict surrounding the nature of publicity. Taking into account incidents and their political influence in turn allows us to support Elias's theory that expressions of sensibility are historically determined and can be changed over time.⁹⁴ Most of all, it demonstrates that during the Third Republic, executionary incidents were more terrifying than the death penalty itself. The attention paid by the authorities to such incidents also shows that their occurrence undermined the compliance that punishment was supposed to ensure, instead provoking only disgust and resentment toward a state that exerted such violence. The sensibilities that were shocked by these incidents, and the identification of the incidents, were constitutive elements of the transformation of psychological perspectives, which were evolving toward greater intolerance for the executionary spectacle, and consequently encouraged the move toward depublicization. Increasing standards of civilization directly clashed with the political legitimation of power that executions were supposed to operate.

Intolerance for the Executionary Spectacle

Following their participation in an execution, those observers who wished to recount their experience in a narrative form often mixed factual and chronological events with the emotions that they felt watching the spectacle. If we were to consider these sources in the hopes of extracting a true account of the

public's emotions, it would mean assuming that the emotions recounted were identical to those experienced at the very moment of execution. And yet this would mean forgetting that we are dealing with a reconstruction contained within a self-representation, created after its author sorted through his or her various emotions and rejected what might be scandalous or out of place. Such execution narratives exaggerate sensations that may in reality have been fleeting, and rationalize what may have been a maelstrom of tangled thoughts.

Nevertheless, as these narratives translate a certain reflexivity with regard to executions, they are a means for us to explore the world of sensibilities. For if observers were attentive enough to put into writing the emotions that they may have felt, even when these emotions betrayed personal fragility, it must be because the need to express their emotions surpassed the norms of self-representation. If Georges Clemenceau, for example, carefully chose his words to describe the panic attack he suffered when seeing the anarchist Emile Henry being decapitated in 1894, it is because his desire to convince the public of the futility of the public death penalty was greater than his fear of exposing his mental frailty. Like other spectators, Clemenceau wrote: "All the horror of the ignoble drama overcame me. My nerves slackened and refused to respond. I felt an inexpressible disgust before this administrative murder, performed without conviction by law-abiding civil servants."⁹⁵ These few phrases prompted a great deal of sarcasm on the far-right fringes of the political sphere,⁹⁶ but they also revealed the extent to which censorship with regard to publications could be waived when arguments needed to be found against the death penalty. By recounting their emotions, Clemenceau and other members of the observing elite sought less to offer up a reflection of themselves than to impose a certain interpretation of the executionary spectacle that would make the latter seem intolerable. The narrativization of emotions was thus a shared confirmation that what was felt during executions was terrible and revolting.

On the one hand, execution narratives tended to strip what had been seen of all semblance of reality; on the other, anxiety racked the spectators, once again linking the executionary spectacle to its intolerable violence.

Stripping Executions of Their Reality, or the Perseus Syndrome

Among the large number of execution narratives, some are remarkable due to the unsettled nature that they attributed to executions. The spectacle being observed seems unreal and straight out of a fantastical novel (a genre that was quite popular at the time). The execution of Antoine Césariat in the small village of Pibrac, seventeen kilometers west of Toulouse, seemed especially eerie because the site was completely incongruous with an execution. “In fact, is it not strange, unexpected, and almost fantastical to see an instrument like the guillotine be erected, and accompanied by the inevitable procession which surrounds executions ... in a site sprinkled with flowers and shady spots?” *Le Petit journal* asked.⁹⁷ In a style more akin to Hugo’s, a variety of articles established an analogy between executions and the end of the world, bolstered by the fact that executions often took place at twilight. During the Parisian execution of Louis Anastay, one journalist was immediately struck by the event’s atmosphere: “The sky was bathed in soft light behind the Père Lachaise cemetery, the stars were twinkling and fading. It was daybreak. In the distance, you could hear the roosters begin to crow.”⁹⁸ Dr. Paul Loye, who attended an execution in Troyes (likely Joseph Gagnier’s) mentioned that his emotions disturbed his perception of time, and that all the actors “seemed to move slowly, very slowly,”⁹⁹ as in a nightmare.

At least twice, an execution occurred at the same time as a carnival, which gave spectators the impression that the former was part of the general spectacle, and thus unfolded in a contradictory ambiance that was unfit to confer solemnity. In 1909, for the execution of Remi Danvers in Carpentras, all the town’s residents wore masks and associated this execution with the general revelry. *Le Matin* thus spoke of a “festival of blood” where celebration and death joined hands: “Young girls danced in circles, singing around the Place du Tribunal, just a few steps from the condemned criminal’s prison cell.” Whereas after the decapitation occurred, the crowd emitted a “long cry” and abruptly grew silent, giving the journalist the impression that the execution had had a calming effect. “Who will ever be able to understand the soul of a crowd?” he concluded.¹⁰⁰ In 1920 a “breathless” crowd of farmers and peasants had come to participate in Montbrison’s Assumption festival, and was additionally able to see Deibler operate for the execution of Auguste Mathon. As a consequence, the execution took place in a town that was all atwitter, where hotels and cafés were flooded by rural inhabitants, and an entire trainload of visitors from Saint-Étienne who had arrived the night before.¹⁰¹

What these journalistic accounts shaped was the idea that holding executions

went outside the bounds of daily activities and did not belong to the city's usual order. This can be seen in the executionary spectacle's immediate incorporation into the carnival, when these two rites were concomitant, and its strangeness during more normal times. The difficulty of integrating public executions within the fabric of daily life led many witnesses, unable to comprehend such spectacles, to distance themselves by likening executions to nightmares. During the execution of Albert Philippe, a reporter from L'Avenir who attended the spectacle described a wholly unreal experience:

No! This must be a sinister joke.... But the soldiers, the municipal guards, the horses ... They're all real! They are not made of lead.... They can't be put back into a little box. The light is so dim this morning! It is not even daybreak yet.... This is the uncertain light cast between night and day. A false light! All these objects, all these people, they all seem fake!¹⁰²

The same impression of falseness was described regarding Henri Désiré Landru's execution, which was exacerbated by the fear of seeing hordes of costumed revelers from Montmartre descend upon Versailles, the guests of the "Martian ball" having been informed of the execution. When the lampposts were turned off, "the early morning light seemed artificial," thus giving the guillotine a new face:

A black, triangular frame was set upright. And fifty other strange black shapes, quadrangular, pointy, in half-circles, create on the violently colorful poster [for a film not far away, with a double entendre as a title: The Last Kiss] a sort of huge Cubist painting.¹⁰³

The emaciated figure of the condemned man with a "livid face" seemed to come straight out of a "bad dream."¹⁰⁴ His bloodless countenance made the execution seem entirely unreal. Arthur Mahieu emerged from the prison "with a face as white as a ghost, a shape whose paleness seems unreal, a silhouette that had already left this world behind."¹⁰⁵ Similarly, Paul Gorguloff (who assassinated

President Doumer) was described as “wearing a waxen mask,” due to his pale and impassible countenance as he was placed on the guillotine.¹⁰⁶ Albert Philippe likewise sent shivers down the spines of those who saw him head toward the guillotine: “I have never seen such a face! It was completely bloodless.... There was no more blood flowing throughout the body. Everything was white, was livid. This was a dead man walking. No! It was a ghost,” wrote an editor for *L’Avenir*.¹⁰⁷ For the quadruple execution of the Pollet gang, Théophile Deroo was similarly unrecognizable:

Behind the warden, a ghost appeared. A specter of a man, all white, his face white. In this dull, dirty half-light, he looks like a sinister Pierrot trussed up for his death throes. It looks like a white power has covered and erased all his traits. A thin pale line scarcely marks his mouth. And his delirious eyes, which gaze fixedly upon us, do not see us at all.¹⁰⁸

The frequent use—and not only as a figure of style—of words alluding to the fantastical or unreal reveal just how poorly executions were now understood by spectators. It is because executions had become increasingly meaningless that some observers chose to distance themselves from the jargon of legal rationality in order to describe their experiences. By choosing to re-create their troubled emotions, these elites revealed the extent to which executions had become problematic and could no longer be linked to reality, but instead belonged to a universe outside the realm of common perception. Consequently, at the beginning of the twentieth century, the comparison of executions to film scenes and the sensations that the latter provoked became increasingly frequent. For example, a journalist covering Landru’s execution had the impression of being immersed in a German Expressionist film, full of distorted shadows and decor:

And in the shadows, everything will look as such to our eyes, more distraught than fevered by fatigue: the light cast by the headlights of Parisian automobiles which, behind the barricades, suddenly come aflame like cruel festival lights, sharply outlining the cavalry officers and their weapons, and projecting huge shadows on the shutters of the closed shops, while distorting straight lines like

roads as if in a living, phantasmagorical film in the vein of Caligari.¹⁰⁹

The Cabinet of Dr. Caligari, directed by Robert Wiene, was a groundbreaking work of German Expressionism and had in fact come out just two years before this execution, its disturbing ambience and Dada-inspired surrealism leaving a strong impression on its viewers. Siegfried Kracauer, in his seminal study of German film during this period, *From Caligari to Hitler*, observed that for the film's scriptwriters, the figure of Dr. Caligari was a metaphor for the unlimited power of the state, presaging the manipulation of the masses and Hitler's totalitarian society.¹¹⁰ Linking the executionary spectacle to such a film thus illustrated an attempt to distance oneself from the former's violence, which was seen as belonging to an alternate reality, and from the entire mechanism, which provoked as much malaise as a film that played on troubling strangeness. For the execution of the Belgian convict François-Dominique Thys in Laon the following year, a local journalist narrated his experience of a rapid and jerky ceremony, which he "felt" rather than saw. Keeping in mind that films at the time were shot at sixteen or eighteen frames per second, which sped up movement and gave it an unnatural appearance, it was not abnormal for the journalist to liken this rapid cadence to cinematic gestures. He concluded: "That is about all I remember about this doleful scene which unfolded as quickly as on the cinema screen."¹¹¹ With the gradual transition to twenty-four frames per second, film acquired a speed that was almost identical to reality. As a consequence, its effect on spectators only became more significant. For the execution of Rakida Abdelkader in Lyon, a local editor had the impression of capturing the execution as though his eye were a camera: "What gestures made by the actors of this drama! What sharp and tumultuous thoughts assail one's mind! Like an extremely sensitive camera, the eye records a film—we are tempted to say, like a negative. In turn the images are shaped and develop with surprising accuracy."¹¹²

The reference to film as a means to understand newly problematic executions is especially interesting because, with the trend toward depublicization, cinema and literature would in the twentieth century become the ideal means to depict the death penalty. For example, during this time, we can mention the highly realistic guillotine scene in Ferdinand Zecca's *Histoire d'un crime* (1901), followed by a similar scene a few years later in Georges Méliès's *Les incendiaires* (1906)—Méliès would in time become an expert in staging decapitations.¹¹³ But even well

before these films, spectators were forced to make a cinematic “detour” in order to evoke and comprehend the executionary spectacle. This was a new and unprecedented phenomenon that we might call the Perseus syndrome, in reference to the Greek mythological hero who in order to decapitate the Medusa—as he is unable to cast his eyes upon her directly—moves toward the Gorgon by observing its reflection in his shield. On the one hand, the reality of executions was rejected when film was able to represent and establish it at a distance. This explains the numerous circulars issued by the central authorities prohibiting photographic or cinematographic reproductions of executions—as though reality and cinema, even documentary cinema, were mutually exclusive. On the other hand, and more significantly, the Perseus syndrome means that spectators during this time period wished to hide from executions. This explains the impressions of unreality caused by their sight, and its association with a fictional work outside the realm of the ordinary. Diverting one’s gaze from an intolerable and violent reality was only possible in a cultural context where fictional substitutes could capture the attention of the masses and help to replace the real. Typically, the development of cinema (and before it, of dioramas, panoramas, wax museums, etc.) allows for reality to be faced as though it were a spectacle.¹¹⁴ The perception of modern city life via a re-presentation of the real, or what Noël Burch has called “bourgeois representationalism,”¹¹⁵ gave rise to a new kind of crowd that preferred contemplating a naturalistic fiction to a disturbing reality.

By lowering the public’s threshold for violence, the civilizing process ended up making the executionary spectacle unbearable, despite its having persisted in the public gaze for centuries. But between civilization and depublication, a period of transition occurred, during which the impossibility of watching executions steadily grew and expressed itself in public sensibilities. Relegating executions behind the scenes of social life was only possible at the price of the spectacle’s repercussions or echoes in public life, either via the complicated invention of a new publicity regime or via its definite transformation into fiction, especially once the death penalty was abolished. The Medusa’s gaze petrified, much the way the sight of an execution did: but much like the principle of executionary violence, Perseus’s violence (which killed her) remained acceptable. Consequently, camouflaging violence did not prevent it from occurring nevertheless, and the public’s gaze was “civilized” before the gestures of power themselves were.

Criticizing the Crowd and Institutionalizing a Form of Long-Distance Governance

The refusal to integrate the executionary spectacle into the new urban mass culture meant that the crowd was still considered a “crowd” during executions, and that its status as a potential public was denied. It was theorized that if there was a specific kind of public that attended executions, it was different from the general crowd. From this perspective, recurring critiques of executionary crowds played a dominant role. Several authors formulated the hypothesis that disgust for the death penalty had in fact been projected onto the crowd. In England, the rejection of the spectacle of hanging translated into a criticism, from the middle and higher classes, of the lower classes’ presence.¹¹⁶ In France under the Third Republic, critical interest for the crowd only emerged “when the exemplarity of executions was challenged and the spectacle of death no longer sufficiently fulfilled its alleged duty to edify and prevent.”¹¹⁷ Criticism of the crowd only became possible once it was seen as a full-fledged actor in executions, as the result of a division established by observers between the “public,” in which they included themselves, and the “crowd” of spectators that contained the undifferentiated masses.

The shift from the condemnation of death penalty publicity to disapproval of its public audience occurred in three different phases. First, through constant attention paid to the crowd, then via the delegitimization of the crowd’s behavior,¹¹⁸ and finally by criticizing its mere presence. The attention paid to the crowd had existed before it became a research subject, and its presence was consubstantial with the publicity regime. In addition to the figures that tell us how many people attended executions, we must add the effects caused by the crowd’s physical presence. In 1833, the abolitionist J. C. Roumieu was struck by the number of people he saw at an execution site, surrounded by a ring of troops that added to the masses. Behind the police officers, “countless, curious, fervent, ferocious, panting hordes rushed up, collided with each other, pressed up against the barricades.”¹¹⁹ The crowds often showed up to occupy the space well before the execution was to be held. For example, for the execution of Barthélémy Bernard d’Ampuis (1872), the prosecutor reported: “Lyon’s rabble felt that they were waiting too long to see the spectacle of an execution. During a couple of weeks, tumultuous protests took place in front of the courthouse. The crowds would show up there every day.”¹²⁰ For the execution of Giuseppe Rosa in

Marseille, one police report gives us a rare insight by mentioning that the crowd took about one hour and fifteen minutes to disperse once the execution had taken place.¹²¹ The massive presence of crowds had become inevitable, and observers had the impression that it was always the same crowd, composed of the same individuals. Consequently, it was possible to call it “the smart set of closing nights” (*Tout-Paris des dernières*), according to Hugues Le Roux’s wisecrack made during Henri Pranzini’s execution,¹²² and in opposition to the posh public that attended theater premieres. This made executions “a pious celebration for sidewalk priestesses,” said *Le Cri du peuple*, also playing upon the alleged disreputable profession exercised by many of the female spectators.¹²³

Consequently, before the crowd’s composition was delegitimized, its status was. Bestial metaphors were often used to emphasize its savagery and absence of self-control. For the double execution of Amand Lahaye and Catherine Gerbeau (in Saint-Mihiel), *Le Petit journal* compared the crowd that had gathered to “an overactive anthill.”¹²⁴ For Joseph Albert’s execution, it resembled “a murder of crows” instead,¹²⁵ and the crowd was possessed by “savage curiosity” during the execution of Raphaël Toledano and Issac Sitbon.¹²⁶ Ultimately, the crowd was unable to control itself, nor could it become a true public, as it was composed of godless and lawless individuals, too different to share a truly communal experience. At the end of the eighteenth century, Louis-Sébastien Mercier wrote about the “bandits” who gathered at the foot of the scaffold.¹²⁷ Similarly, Vidocq described “those men whose appearance can only be spotted in the city’s slums and which, like wild beasts, only come out of their dens at night.”¹²⁸ They were not frightened by the form of punishment; on the contrary, they were readying themselves for their fate: “Like moths that flutter around the candlelight for a long time before ultimately burning their wings, they circle the scaffold for years before laying down their head on it.”¹²⁹

Comparing the crowd to a potential “army of crime” fed into the fight against executionary publicity, by showing that the spectacle would not edify individuals who were reticent to all rationality, and that the elimination of publicity was necessary because executions were now being watched without being understood by the very spectators they were supposed to instruct. Joseph Reinach, who had long been an advocate for the elimination of publicity, wrote that the crowd of spectators was indeed “the dregs of society,” with “high-class prostitutes,” “a few depraved individuals, young and old,” and a “swarming mass of all the hoodlums, crooks, rascals and vagabonds.”¹³⁰ According to Reinach, nothing in this “hideous rabble” came close to resembling “the

people.”¹³¹

These harsh descriptions, which in passing neglected to mention the presence of the higher classes, or simply referred to their decadence,¹³² demonstrate that executions struggled to find their public and that on the contrary, each execution engendered what Scipio Sighele would call “a criminal crowd,” likely to tip over into violence. And if J.-M. Lazare Caubet arrested between one hundred and two hundred people before Pranzini’s execution,¹³³ that was also because they were about to start shouting, “It’s Pranzini that we need!” to the tune of “It’s Boulanger ...,”¹³⁴ or more directly, “Long live Boulanger!”¹³⁵ And yet there were no Boulangists there as such, just the customary crowds arriving from the outskirts of the city, with the exception, Caubet noted, of a few “lost native” bourgeois members of society.¹³⁶ The fact that the press was almost unanimous in demanding that executions take place behind closed doors both before and after this particular execution was doubtless related to the desire to avoid having executions provide additional opportunities for political unrest.¹³⁷ A note in a police file indicates that business owners in the La Roquette neighborhood were thrilled about the raid that had occurred before the double execution of Adolphe Berland and Gustave Doré (1891) because, “in this neighborhood, undermined by Boulangism, ... the energy deployed against the vagabonds could prompt a significant turnaround and destroy a good number of biases.”¹³⁸ Among those arrested, many belonged to the working class. One police report provides a few succinct sociodemographic characteristics: Germain Carbonnel (fourteen, assistant to a wine merchant), Georges Etuvé (twenty-eight, day laborer), Mercellin Prévost (nineteen, barber), Alexandre Hué (twenty-seven, mirror dealer), and Gabriel Fournier (twenty-one, upholsterer).¹³⁹ Republican authority was apparently less instilled by the execution than as a result of the preventative arrests made among “the little people” of Paris. By being socially condemned, and only identified with the lower classes and menial professions, this population was denied the right to watch the execution, and consequently could not be considered a veritable public.

In addition, the unrest associated with the crowd hinted at an aspect of untamable wildness and called for the pacification of the public space, by avoiding the exhibition of violent scenes. The repeated criticisms made by the press and the elites in fact acted as reminders that the dominant sensibility should be theirs—a form of sensibility that appreciated civilized spectacles and public self-control. The bloody spectacle of the guillotine thus seemed to impede the regeneration of the Republican citizen by forcing him to tolerate violence.

The elimination of public executions marked, if not the “depoliticization,”¹⁴⁰ then at least the diversion (*déjudiciarisation*) of the streets, with the state abandoning a political technology that historically involved an urban background. Stripping the urban landscape of a political ceremony meant altering one form of the power struggle between justice and its citizens, ultimately considering that this was an outmoded form of communication between the two. And yet the political did not leave the public space, and the image of the Parisian wanderer continued to be confused with that of the politicized citizen,¹⁴¹ in an urban environment where newspapers were still sold by word of mouth, and where everyone sought to watch and learn about the ceremonies organized by those in power. But more specifically, the executionary spectacle was progressively downsized and depublicized over the course of the period studied, both trends clearly encouraged by the authorities. The disappearance of executions from the urban landscape thus posed one of the major issues of modern politics: how to obtain obedience and compliance with the law without showing its violence.

Was the gradual confinement of executions a form of progress or retreat with regard to the move toward democratization sought by the Republican regime? The answer remains ambiguous. It was a form of democratization if we consider that depublicization was the condition necessary for both the pacification and the hygienization of the public space (and the urban landscape in particular), as well as the transformation of the crowd into a public. Abandoning the executionary spectacle marked the relinquishment of forms of political action and communication that were now deemed archaic. From the moment when the crowd was removed from the scene of death, its edification encouraged instead by the written press and official execution reports, it became a public, a collective entity that could reflect on events from a distance. The elimination of publicity was thus a democratic leap that established a new form of public comprehension of a punitive technology that no longer required a physical presence. Executions continued to occur, but they moved into the realm of long-distance communication, endorsing the creation of new forms of public space that were based on information, media coverage, and discussion, rather than direct observation.

Conclusion

The goal of this volume has been to analyze one manifestation of political “theatrocracy”: public executions, specifically during the historical period that witnessed their decline and elimination. In analyzing the different orchestrations of executions presented over the years, our research demonstrated the gradual depublicization of the death penalty and explained the definitive elimination of executionary publicity in 1939.

First, we tested the theories put forth by Michel Foucault and Norbert Elias in order to determine if it was possible to link changes in executionary ritual and ceremony with the authorities’ disavowal of a specific form of political technology, or with a shift in collective sensibilities that rendered such spectacles physically unbearable. Then we argued that the public dimensions of the death penalty and the disappearance of its publicity must first and foremost be linked to structural changes that affected the public space during the period in question. These changes simultaneously affected the diffusion of information, how media coverage was operated, and how the public and urban spaces were divided up. The public sphere was seen as a fragmented space where the government’s actions were monitored and criticized, whereas the urban landscape rejected the pomp and circumstance associated with manifestations of power.

The idea according to which the public nature of executions essentially relied on changes in the state’s punitive arsenal, and was in no way linked to public sensibilities, is supported by a number of historical events. From this perspective, the show of executionary force began to decline in the nineteenth century, when prisons became part of the criminal system and had the advantage of meting out punishment inconspicuously. As the use of prison sentences spread as a form of “discreet” punishment, it was perfectly aligned with the authorities’ desire to rationalize control over crime and act in the shadows rather than visibly exerting force. The moment when the guillotine was secreted away behind prison walls thus corresponds to Foucault’s concept of “the great confinement,” characteristic of disciplinary societies. Depublicization thus primarily stemmed from a desire for concealment that affected punitive technology in a number of different ways.

Nonetheless, changes in executionary ceremony must still be explained, which an approach in terms of political technology is not always best suited to do. First of all, we must account for changes in the world of journalism. The explosion of the popular press and its fascination with crime, executions, and salacious local events triggered direct competition with the traditional forms of communication employed by the authorities. Citizens increasingly turned to the pages of their local newspaper to read stories of crime and punishment, rather than attending such events directly. The fact that many newspapers started to criticize the presence of spectators at executions was less a sign of the elites' social disdain for the common people than a way of advocating for executions to move behind closed doors—as well as a sign of the press's desire to establish its monopoly over executionary accounts from behind the prison walls.

On the other hand, the evolution of the law—and especially the fact that it delegated to local actors and in particular to mayors the task of selecting execution sites—had a number of different effects that worked to support the concealment of the death penalty. In medium to large cities, where the majority of executions took place, organizing an execution was an affront to the urban landscape, which combined housing, leisure, and economic activity. Executions greatly disturbed the daily urban rhythm. The solutions envisioned by local authorities to limit the disturbances caused by the guillotine's presence and to maintain order largely consisted of holding executions very early in the morning so as to avoid drawing huge crowds. In addition, they sometimes moved execution sites very close to a prison, on the outskirts of the city, thus establishing a link with the penitentiary realm. Although the elimination of executionary publicity primarily reflected a change in the technology of punishment, it nevertheless did not mean that the authorities had rejected the use of violence in their arsenal.

Does this mean that the various reconfigurations of publicity were merely power tactics that did not stem from any “civilizing process”? In fact, the opposition between the evolution of political technologies and the shift in public sensibilities is not an absolute one, as the policies that governed publicity were themselves structured by the sensibilities of the actors who designed them. For example, drawing execution sites closer to prisons was justified in terms of greater ease in maintaining public order at a distance from the city center and in terms of avoiding a long and painful trip for the condemned. We thus conclude that decisions regarding publicity stemmed first and foremost from a decline in the public's tolerance threshold for violence. First of all, the depublicization of

executions was not an isolated phenomenon, if we consider similar processes affecting other sectors and social practices, which all tended toward the concealment of hitherto acceptable public “spectacles.” Between the nineteenth and twentieth centuries, the sanitization of the urban landscape gradually eliminated the sight of household waste, public slaughterhouses, violence to domestic animals, and corpses at the morgue. This reconfiguration of the public gaze helped to fashion a new kind of men and women who were sensitive to odors, blood, buildings with negative connotations (cemeteries, hospitals), pain, lethal suffering, and violence. These modern individuals rejected the proximity of such unpleasant sights and strove for the visual appeasement of the urban landscape. Finally, the deployment of these sensibilities was only possible once what Elias terms the “individualised feelings” had reached a very high level.¹

Our final conclusion concerns the relationship between the transformation of the public space that started in the second half of the nineteenth century and the transformation of executionary publicity. The rise of the popular press and later the radio provided new ways for the public to consume information, which no longer required a direct vantage point on events and thus shocked older forms of sociability according to which the critical exercise of reason had primarily unfolded in dedicated public spaces. From that point on, the public space was caught in the crosshairs. On one hand, the elites strove to impress on it the characteristics of the bourgeois private space, from which all signs of violence must be excluded. On the other hand, they still wanted to have access to information without leaving that private space. People no longer attended executions because they no longer wanted to be spectators, but they wanted executions to come to them. Executionary publicity was caught up in the transformation of spectatorship, which transformed the crowd into a public and gawkers into distant spectators—distant from the event but also distant from each other. The authorities supported this change in the public’s relationship to information, gradually realizing that the use of public executions to legitimize their power was ineffective, as a growing number of individuals no longer wished to observe executions directly and were satisfied with merely being informed that they had taken place.

Nevertheless, as Elias observed, the civilizing of mores and of the public’s gaze can entail a veritable repression of violence and death in society.² Although fiction grants us total freedom, we as twenty-first-century spectators might well ignore the world’s true level of violence, as many images are hidden from view.³ The media’s monopoly over the public space, and the preselection that it

conducts regarding what can be seen and what must be hidden, fashion a visible order from which the most intolerable elements of violence are excised. This carries a risk, then, that Western societies will no longer understand violence, especially when it appears suddenly, as in the case of terrorist attacks, for example, since it is invisible—and thus virtual—most of the time. Being civilized and no longer understanding that violence remains an obvious political tool for many, unfortunately, means being intellectually helpless.

APPENDIX

List of the Individuals Executed by Year, 1870–1939

Only the executions of civilians are listed here.

1870

18 January. Jean-Baptiste Troppmann (Paris)

21 January. Clément Modeste Bellière (Beauvais)

26 March. Alexandre Duchemin (Laon)

2 June. Guillaume Bayon (Valence)

1871

6 February. François Chambord, Pierre Buisson, Léonard known as Piarrouy, François Mazière (Hautefaye)

8 March. Jean Sabathé (in the Landes region)

21 July. Charles L'Hospitalier (Nantes)

28 August. Michel-Auguste Bourgunde (Chaumont)

13 November. Gustave Perrier (Le Mans)

1872

25 January. Antoine Ondet (Saint-Bonnet or Saint-Flour)

19 February. Louis Guénard, Eugène Quillou, François Proust (Chartres)

27 February. Amand Lahaye, Catherine Gerbeau (Saint-Mihiel)

5 March. François Lemettre (Marquise, Pas-de-Calais)

11 March. Gustave Brulé (Versailles)

4 April. Léon Bourgongne (Troyes)

9 April. Auguste Isaïe Ducorbier (Melun)

13 April. The Loth couple (Jean-Baptiste Loth and Félicité Lambin)
(Charleville-Mézières)

20 April. Pierre Rouette (Dijon)

22 April. Florant Tournès (Aix-en-Provence)

17 June. Jean Baptiste Moreux (Paris)¹

6 July. Charles Mancel (Caen)

27 July. Francisco Beltran (Toulouse)

29 July. Raphaël Toledano and Issac Sitbon (Marseille)

31 July. Barthélémy Bernard d'Ampuis (Lyon)

16 August. Jean-Baptiste Courcol (Arras)

16 August. Théophile Cauchy (Amiens)

1 October. Louis Garbarino and Antoine Galetto (Aix-en-Provence)

19 December. Eugène Alphonse Joly (Paris)

1873

6 January. Piegelin (Besançon)

10 January. Pierre-Auguste Garel (Reims)

14 January. Christian-Ernest Lemarchand (Rennes)

14 February. Claude Perret and Jean-Louis Vulliard (Lyon)

25 March. Augustin Guyard (Laon)

29 March. François-Jacques Hébrard (Riom)

9 April. Napoléon-Jean Sevin (Melun)

15 April. François-Arsène Gautier (Angers)

19 April. Ignacio Yturmendi (Nantes)

24 April. Antoine Vachot (Lyon)

27 May. Philippe Rissler (Châlon-sur-Saône)

24 May. Antoine Couturier (Paris)

26 July. Jean-Baptiste Ferrari (Laon)

5 August. Jules-Joseph Seringer (Lyon)

6 August. Charles Houbre (Montbrison)

11 October. Jean-Pierre Hulans (Châteaudun)

13 October. Antonin Pradal (Carcassonne)

11 December. Blaise Rondepierre (Varennnes-sur-Allier)

1874

15 January. Pierre Taurisson (Tulle)

8 April. Damian Corillo-Gestal known as Cosme Correas (Bayonne)

10 April. Jean Marsault (Poitiers)

21 April. Philippe Levaineur known as Mitron and Pierre Lasserre (Toulouse)

30 June. Antoine Césariat known as Le Lyonnais (Pibrac, near Toulouse)

14 September. Jean-François Puisse (Vesoul)

29 September. Louis-Sylvain Poirier (Chartres)

3 October. Joseph-Marie Mariani (Nîmes)

13 October. Pierre-Désiré Moreau and Jean-Baptiste Boudas (Paris)

20 October. André Goulfert (Chalon-sur-Saône)

14 December. Joseph-Hippolyte Caillot (Moulins)

1875

2 February. François Terrier (Nîmes)
31 March. Pierre-Louis Bacquet (Paris)
15 April. Léon-Pierre Ruffin (Cambrai)
22 June. Nicolas Labanvoye (Epinal)
10 July. Francesco Sancho (Beaucaire)
13 July. François Rieubernet (Toulouse)
2 August. François Fradon (Bordeaux)
7 September. Achille Jodon (Evreux)
15 November. François Chaussy (Nancy)
9 December. Jean-Honoré Allongue (Draguignan)
31 December. Emile Greveis (Nancy)

1876

5 January. Femme Sophie Bouyon (Bourg)
8 January. Joseph Riaud (Rennes)
15 June. André Courbis (Valence)
3 July. Jean-Baptiste Pascal (Bordeaux)
12 August. Toussaint Gervais (Paris)
3 September. Roldan y Moralès Segundo (Perpignan)
18 September. Maxime Marin (Blois)

14 December. Marisu Turcan (Nice)

20 December. Charles-Louis Yden (Douai)

27 December. Julien Ducaux (Toulouse)

1877

24 March. Charles Moulut (Saint-Mihiel)

26 April. Sébastien-Joseph Billoir (Paris)

12 May. Francisco Badel (Tarbes)

22 June. Valentin-Ange Roux (Versailles)

23 June. Auguste Changeur (Angers)

28 June. Léonard Aublin (Douai)

17 August. Léon Vitalis (Marseille)

12 September. Jean-Pierre Welker (Paris)

13 September. Jean Frison ou Frisson (Laon)

26 October. Joseph Albert (Paris)

1878

5 January. Louis-Théophile Corsinesco (Melun)

22 February. Jean-Marie Siméan (Aix-en-Provence)

18 March. Emmanuel-Modeste Louchard (Evreux)

12 June. Louis Léon Bouché (Laval)

13 July. Pierre-Jean Laurent (Lyon)

18 July. Yves François Denis (Morlaix)

7 September. Aimé-Thomas Barré and Paul Louis Lebiez (Paris)

18 December. Aimé Mautin (Alençon)

1879

19 May. Jean Laprade (Agen)

10 September. Jean Chambe (Saint-Rambert)

13 November. Théotime Prunier (Beauvais)

1880

19 January. Victor Prévost (Paris)

8 September. Louis Menesclou (Paris)

16 September. Jules-Isaac Huart (Angoulême)

1881

No executions

1882

1 April. Pierre Lantz (Versailles)

29 June. Joseph Frédéric Soissons (Laon)

3 July. Pierre Justin Martinet (Bordeaux)

22 August. Pierre Mallet (Le Puy)

22 September. Pierre-Jules Barbier (La Roche-sur-Yon)

1883

17 September. Edouard Holtz (Reims)

1 October. Louis Houy (Versailles)

12 October. François Gornachon (Lyon)

1884

*Pierre Tantand (Béthune)*²

12 April. Henri Masquelin (Douai)

30 April. Michel Campi (Paris)

16 August. Paul Berthaud (Lyon)

19 August. Pierre Gironde (Tulle)

9 December. Antoine-Charles Angelicus (St. Pierre les Calais, near Douai)

1885

19 January. Pierre Marquis (Dijon)

22 January. Jules Lamoureux (Bayeux)

17 April. Pierre Biton (Riom)

24 April. Adolphe-Tiburge Gamahut (Paris)

21 May. Alphonse Lepot (Douai)

2 July. Joseph Gagnier known as Gagny (Troyes)

18 July. Jacques Heurtevent (Caen)

27 July. Pierre Forgeaud (Bordeaux)

10 August. Paul Gaspard and Charles Marchandon (Paris)

12 August. Louis Pain (St Omer)

28 September. Jean Trincard (Riom)

1886

2 February. Benoit Jeton (Caen)

5 February. Nicolas Gurnot (Charleville)

29 March. Francesco Picenardi (Vesoul)

3 April. Augustin Gatteaux (Laon)

9 April. Florent Jacques Kœnig (Paris)

11 June. Léon Jean, known as Tapage (Versailles)

4 October. Joseph Frey “Pas de chance” (“No luck”) and Pierre Rivière (Paris)

11 November. Emile Furet (Saintes, near Poitiers)

1887

11 January. Théophile Ginoux (Carpentras)

24 January. The Thomas couple: Sylvain Thomas and Georgette Lebon (Romorantin)³

15 June. Désiré Gaussuin (Amiens)

31 August. Henri Pranzini (Paris)

8 October. Michele Tegami and François Esposito (Aix-en-Provence)

18 November. Hippolyte Paviot (Bourges)

23 December. Ambroise Pollet (Laon)

1888

31 March. Paul Maitayer (Evreux)

2 June. Paul Faine (Quimper)

5 September. Xavier Rocchini (Sartène)

10 September. Edouard Schumacher (Paris)

31 October. Charles-Auguste Mathelin (Paris)

3 November. Prosper Lavisce (Beauvais)

20 December. Paul Cordelier (Besançon)

24 December. Claude Lyautey (Blois)

28 December. Louis Linska de Castillon, known as Prado (Paris)

1889

22 May. Fulgence Géomay (Paris)

10 August. Hippolyte Hoyos (Beauvais)

17 August. Quentin Allorto and Jean Baptiste Sellier (Paris)

16 December. Gustave Lefleche (Amiens)

19 December. Georges Kaps (Paris)

21 December. Julien Jardry-Lavoix (Périgueux)

1890

23 January. Jean Dauga (Nancy)

3 February. Justin Durand (Albi)

8 March. Albert Jeantroux and Henri Ribot (Paris)

5 May. Charles Aubert (Blois)

1 July. Jean Vodable (Paris)

1 September. Constant Jacques (Epinal)

4 September. Louis Savary (Montreuil-sur-Mer)

1891

3 February. Michel Eyraud (Paris)

28 February. Joseph Clémenton (Besançon)

18 April. Ferdinand Robin (Troyes)

2 May. Denis Rebours (Blois)

9 May. Jean-Marie Spaggiari (Chambéry)

13 May. Pierre Merger (Arras)

3 June. François Firoteau (Evreux)

11 July. Eugène Meunier (Nancy)

27 July. Adolphe Berland and Gustave Doré (Paris)

13 August. Alfred Demeaux and Louis Jeulin (Avesnes, near Douai)

28 August. François Baillet (Douai)

20 October. Géraud Aurusse (Bordeaux)

1892

12 March. Magloire Edmond Emonet (Le Mans)

15 March. Etienne Cournou (Aix-en-Provence)

21 March. Emile David (Saint-Nazaire)

9 April. François Louis Anastay (Paris)

16 April. Jean-Claude Charton (Dijon)

5 July. Mathias Hadelt ou Hartelt (Valence)

11 July. François Kœnigstein known as Ravachol (Montbrison)

20 July. Julien Communal (Rennes)

21 July. Henri-Pierre Jean known as Tardieu (Caen)

23 July. Joseph Martini (Montpellier)

17 November. Gabriel Marchand (Epinal)

16 December. Eugène Crampon (Paris)

1893

14 April. Victor-Lucien Ruffin (Caen)

28 April. Jean Combot (Morlaix)

26 June. François Redt (Saint-Mihiel)

28 June. Jules-Léon Dupalu (Versailles)

3 August. Edmond Claeys and Auguste Degroote (Hautmont)

26 August. Marie-Ernest Gille (Evreux)

3 October. Emile Veyrios (Albi)

6 October. Eugène Baujean (Versailles)

1 December. Pierre Kuntz (Paris)

1894

17 January. Jean Scherer (Melun)

29 January. Jean-Marie Busseuil known as Samson (Lyon)

5 February. Auguste Vaillant (Paris)

13 February. Auguste Mathey (Coutances)

16 February. Marcel Sabourin (Niort)

19 April. Auguste Loreau (Dijon)
21 April. Emile Vaunieuwenhove (Lille)
21 May. Emile Henry (Paris)
24 July. Joachin Noray (Pau)
27 July. Gaston Gamelin (Rouen)
3 August. Jean Bouchareichas (Limoges)
16 August. Sante Caserio (Lyon)
17 August. Jean Servageant (Montbrison)
30 August. Abbé Albert Bruneau (Laval)
29 December. Pierre Mazué (Châlon-sur-Saône)

1895

Antionio Uruga (Pau?)

3 January. Jean Menaud and Joseph Daubagna (Mont-de-Marsan)
23 March. Auguste Lemoine (Versailles)
16 September. Toussaint Simon and César Barillot (Draguignan)
16 November. Jean-Baptiste Lanceleur (Le Mans)

1896

6 January. Alexandre Vanhamme and Jules Mira (Melun)

12 February. Jean-Pierre Dudot (Chaumont)

17 February. Théodore Bonelli (Ajaccio)

3 June. Jean-Baptiste Dagorne (Saint-Brieuc)

7 July. Charles Jouneau (Angers)

12 September. Alexandre Chapuis (Reims)

1897

14 January. René Vanyngelandt (Hazebrouck)

18 January. Dominique Harsch (Nancy)

25 February. Henri Basset (Versailles)

20 April. Pierre Vaillat (Lons-le-Saunier)

13 September. Etienne Thomas (Loos)

11 May. Jean Bartoli known as Manaccia (Bastia)

1898

12 February. Jean Fazini (Bastia)

9 May. Georges Soulat (Angoulême)

12 or 25 June. Xavier-Ange Carrara (Paris)

27 June. Justin Priolet known as Rosey (Vesoul)

22 July. Eugène Vinsonneaud (Angoulême)

19 August. Alphonse Caillard (Evreux)

26 November. Victor Malavoi (Brest)

31 December. Joseph Vacher (Bourg-en-Bresse)

1899

14 January. François Pierre Damoiseau (Troyes)

1 February. Albert-Alfred Peugnez (Paris)

8 February. Aloïs Zuckermeier (Remiremont)

12 May. Felix Geffroy and Adrien Samson (Saint-Nazaire)

6 July. Alexandre Bétille (Rouen)

7 August. Louis Borde (Montbrison)

1900

10 February. Evariste Nouguiet and Annet Gaumet (Lyon)

19 October. Etienne Portes (Saint-Gaudens)

1901

2 May. Jean Allières (Toulon)

9 September. Etienne Bouvier (Rouen)

11 November. Jean-Benoît Lejour (Montbrison)

1902

No executions

1903

9 January. Maurice Bouche (Lille)

9 April. Théophile Leclerc (Saint-Mihiel)

3 December. Achille Potin (Beauvais)

1904

No executions

1905

12 April. Constantin Jeannin (Nancy)

28 June. Henri Languille (Orléans)

5 August. Henri Van den Bogaert and Charles Zwertvaegher (Dunkirk)

6 October. Antonio Pozzi known as Sabattini (Belfort)

1906

No executions

1907

No executions

1908

No executions

1909

11 January. Abel and Auguste Pollet, Théophile Deroo, and Canut-Vromant (Béthune, the “Pollet gang”)

26 January. Remi Danvers (Carpentras)

10 February. Pierre Simorre and Henri Besse (Albi)

5 August. Henri-Georges Duchemin (Paris)⁴

22 September. Octave Louis David, Louis Berruyer, Urbain Liottard (Valence, the “chauffeurs de la Drôme” gang)

6 November. Camille Favre (Saintes)

1 December. Henri Riboulet (Montbrison)

1910

6 January. Jean Alexandre Hébrard (Montauban)

24 May. Antonin Olive known as Franzoni (Sisteron)

27 May. Sylvain Laroche (Orléans)

1 July. Jean-Jacques Liabeuf (Paris)

23 September. Séraphin Vançon known as Louis (Remiremont)

24 September. Adrien Pierrel (Saint-Dié)

29 September. Jean Terry (Rodez)

30 November. Joseph Doilin (Le Mans)

1911

11 January. Antoine Favier (Lille)

25 March. Jules-Clément Grand (Nantes)

21 July. Henri-Adrien Deviot (Vitry-le-François)

22 July. Charles-Marie Philipppo (Saint-Mihiel)

6 September. Henri-Lucien Pajot (Melun)

4 October. Lucien-Félix Alexandre (Nancy)

10 October. Edouard Caturégli (Toulon)

8 December. Henri Hamet (Le Mans)

1912

9 January. Alphonse-Jules Boursier (Saint-Brieuc)

20 January. Arthur Renard (Paris)

3 February. Giuseppe Rosa (Marseille)

28 March. Henri Fernand Nolot and Benjamin Eugène Tisseau (Le Mans)

29 March. Paul-Théodore Bourges (Laval)
4 May. Pierre Polidor known as Coq-Gris (Coutances)
31 May. Robert Duperrat (Saint-Pol)
5 June. Guillaume Courmier (Riom)
8 July. Paul Aubert (Auxerre)
22 October. Jean-Baptiste Bour (Paris)

1913

22 January. Georges-Joseph Gérard (Nancy)
1 February. Joseph Renard (Versailles)
8 February. Gustave Auxerre known as Le Belge (Le Mans)
9 April. Théophile Leclerc (Saint-Mihiel)
19 April. Charles Barré (Versailles)
21 April. André Soudy, Raymond Callemin and Elie or Etienne Monier (Paris, the “bande à Bonnot”- Bonnot’s gang)
15 May. Auguste Lhomme (Béthune)
11 July. Georges Laage (Paris)
22 October. Louis Albus (Toulouse)
6 December. Albert Carlu (Boulogne-sur-Mer)
24 December. Clément Monvoisin (Dunkerque)

1914

16 January. Frédéric Delacourt (Charleville)

6 April. Humbert Piccinelli and Joseph Kirstetter (Vesoul)

17 April. François Prigent known as Le Marocain (Versailles)

11 July. Robert-Philippe Fabre (Nevers)

17 July. Maurice Doucet (Tours)

22 December. François Tomasini known as Cecco (Bastia)

1915

17 April. André-Jean Martin (Versailles)

22 July. Joseph Lagarde (Nancy)

1916

10 June. Louis-Joseph Lefèvre known as Kiki (Tours)

30 December. Jean Roose (Belgian, Paris)

1917

20 January. Paul-Louis Badin (Lyon)

21 April. Marius-Alexandre Paudière (Rouen)

20 July. Celestin (Saintes)

25 July. Léon-Jean Spoetler (Paris)

7 August. Jean Dupilay (Montbrison)

20 November. Augustin Grégoire Tissier (Angoulême)

1918

[5](#)

12 April. Charles-Alfred Flaguais (Lyon)

17 April. Gaston Declercq (Rouen)

24 May. Emile Vandermassen (Versailles)

1 August. Camille Carpentier (Rouen)

8 August. Fermo or Felino Vicini (Paris)

2 September. Armand Spadoni and Jean Grilli (Draguignan)

27 September. Charles Ménesplier (Bordeaux)

25 November. Antonio Guerrero y Guerrero (Versailles)

21 December. Clément Louis Tranquet (Caen)

1919

4 February. Claude-Jean-Marie Cuisinier (Lyon)

18 February. Lucien-Albert Giraud (Digne)

9 April. Giulio Zannazzaro or San-Nazarro (Paris)

3 June. Joseph Perrot (Rennes or Nantes)

21 August. Joseph Grisard (Paris)

29 November. Edmond-Henri Borel (Paris)

1920

25 February. Albert Fournier (Tours)

1 April. Auguste G  nevrois (Paris)

8 June. Alfred-L  on-Joseph Maquenneken (Rouen)

12 June. Paul-Marc Ballyet (Epinal)

6 July. Marcel Lamielle (Vesoul)

9 July. Constant Sternat (Evreux)

13 July. Jean-Marie Laval (Nantes)

14 August. Auguste Mathon (Montbrison)

24 August. Arezki-ben-Kaci Djermane (Nancy)

15 October. Alphonse Dehaène (Douai)

9 November. Louis Deleuze (Montbrison)

28 December. Eugène Fursat (Bourg)

31 December. Alfred-Pierre-Louis Carré known as Frido (Paris)

1921

3 February. Michel-Gabriel Baun (Dunkerque)

10 February. Gustave Brossard (Melun)

9 April. Joseph-Auguste Bena (Metz)

16 April. Jean-Marie Giquel (Charleville-Mézières)

20 April. Emilio Echabarri known as José Almianda (Evreux)

10 May. Gaston Castin (Versailles)

14 June. Kléber Boucher (Beauvais)

17 June. Albert Routtier (Boulogne-sur-Mer)

30 August. Albert Philippe (Paris)

2 September. Jean Cortès (Carpentras)

6 September. Amokran-ben-Saïd Boularik (Bordeaux)

21 September. Alphonse Ernette and Fernand Baton (Chaumont)

24 September. Emile Genest (Caen)

7 October. Yves Hervé (Quimper)

11 October. Casimir Veignal (Chartres)

15 October. Mohamed-ben-Salah-ben-Ali (Epinal)

20 October. Albert-Eugène Luntz and François-Emile Frintz (Strasbourg)

24 October. Armand Fargues and Robert Ricard (Paris)

8 December. Léon Bourbier (Beauvais)

1922

30 January. Fortunato Aloïa and Alessandro Alleto (Carpentras)

1 February. René Bouy and Jérôme Marcheselli (Marseille)

25 February. Henri Désiré Landru (Versailles)

14 March. Paul-Arthur Seigain (Epinal)

31 March. Maurice René Cassang known as Dudule (Paris)

20 May. Fernand Lagadec (Rennes)

23 May. Emile Lœuillette and Louis Cadet (Paris)

28 June. François-Joseph Diétrich (Chaumont)

30 June. Emile Flaesch and Frédéric-Guillaume Schneider (Metz)

6 July. Alexandre Lucas and Alphonse Daubord (Châteauroux)

11 July. Léon-François Gicquel (Evreux)

2 August. Mécislas (Goldberg) Charrier (Paris)

10 October. Eugène Huguet (Saint-Brieuc)

12 October. Charles Burger (Paris)

14 October. Léon-Lambert Lheur (Charleville-Mézières)

1923

6

24 January. Félix Gounaud (Paris)

20 February. François-Dominique Thys (Laon)

10 March. Georges-Léon Patte and Roger-Victorien Vigneau-Cazalaa (Toulouse)

5 May. Paul Brysgaloff known as Pierre Raboff (Nice)

12 July. Bernard Bordes known as Petit-Louis (Mont-de-Marsan)

7 September. Joseph Witkowski and Stephen Kazmierowski (Nancy)

9 October. Félix Gueydan (Aix-en-Provence)

11 October. Louis-GerMayn Sapet (Privas)

16 October. Charles Vasseur (Rouen)

13 November. Edmond-Julien Sicard (Saintes)

22 December. Marcellin Delval (Toulon)

1924

12 January. Louis-René Dumont (Lille)

8 February. André Garcia Téjeron known as Saragosse (Carcassonne)

28 February. Mohamed-ben-Abdelkader-ben-M'Barek (Metz)

17 May. Raoul Marchand (Laon)

19 August. Ousliman-Mohamed Khemili (Paris)

16 September. Jean-Baptiste-Arthur Lequy (Saint-Mihiel)

19 September. Zeiro-Francesco Finatti (Tours)

1925

21 January. François Salvador (Nancy)

26 February. Jean Blies (Strasbourg)

23 March. Antonief Paprocki (Saint-Pol)

24 March. Henri Olivier known as Le Tigre (Lille)

23 April. Lakdar Loucief (Paris)

5 May. Paul-Louis Derveaux (Paris)

27 June. Noël-Léon Charpentier (Dreux)

31 October. Yves-Alexandre Couliou (Aix-en-Provence)

19 December. Stanislas Makles (Beauvais)

1926

14 January. Miret-Ramon Recassens and Benito (de) Castro (Bordeaux)

15 February. Maurice Berger (Lyon)

May. Birgon (Lyon)

10 August. Auguste-Roland-Marcel Agnan (Evreux)

13 August. Barthélémy-Antoine Chabaud (Riom)

24 August. Georges-Alphonse Passevache (Reims)

1927

8 February. Fernand Jeanty (Bordeaux)

17 February. Désiré-Jean Bénard (Rouen)

3 June. Félix Blanquefort (Montauban)

5 July. Gabriel Monfort (Versailles)

8 July. Marcel Sinn (Metz)

18 August. André Supply (Laon)

24 December. Abderhaman Ben Maceur ou Nacer (Douai)

1928

21 January. Auguste Martin (Evreux)
22 March. Paul Valence (Epinal)
27 March. Paul-Emile Lasgi (Rouen)
3 April. Julien Pachowski and Wladimir Zinczuk (Paris)
4 April. Willam Robert Follain (Caen)
4 May. Lucien-Georges Beyen (Dunkerque)
19 May. André-Léon Bellier (Périgueux)
21 June. Jacques Montagnon and Joseph Allier (Montbrison)
24 August. François Dedieu (Foix)
6 October. Georges Niogret (Bourg)
11 October. Alphonse Herbivo (Metz)
9 November. Joseph-Léon Rauch (Privas)

1929

8 February. Emile Quirin (Strasbourg)
19 February. René Frédillon (Valence)
26 February. Serge Gambier (Amiens)
21 March. Léon-François Vandredeuil (Douai)
15 May. Bonaventure Balsanti (Marseille)

1930

Paul Fischer (Versailles)

24 January. Alexandre Ughetto (Digne)

20 March. Charles-François Masselis (Douai)

2 April. Marcel-Gaston Morice (Versailles)

6 May. Albert Clarisse (Reims)

9 May. Paul Dufour (Boulogne-sur-Mer)

16 May. Jean-Baptiste Guiffaut known as la Griffé (Marseille)

21 June. Henri Fernand Verdière (Rouen)

26 June. Jean-Marie Gabillard (Vannes)

25 July. Félix Bergeron (Dunkerque)

29 July. Firmin Capière (Périgueux)

5 August. Yves Floch (Quimper)

28 August. René Roos (Beauvais)

20 September. Marius Chabrolles (Le Puy)

25 November. Roman Daszkowski (Metz)

28 November. Alfred-Albert Fleury (Rouen)

1931

24 January. Etienne Bordus (Mont-de-Marsan)
14 February. Antoine Chapponeau (Chalon-sur-Saône)
5 May. Georges Loos (Versailles)
23 September. Ernest Roi (Chartres)
15 October. Mohamed Ben Driss (Paris)
24 October. Pasquale Passera (Saint-Mihiel)
26 December. Georges Gauchet (Paris)

1932

7 July. Antoine-Claudins Martin (Montbrison)
12 July. Joseph-Eugène Schoelcher (Mulhouse)
27 July. Henri-Louis Nicolas (Le Mans)
30 July. Lucien-Charles Louis (Saint-Mihiel)
14 September. Paul Gorguloff (Paris)
22 September. Abel Barranger (Versailles)
27 September. Rabach Bedrat (Caen)

1933

9 February. Marien Evaux (Riom)

9 June. Xavier Cornet (Reims)

17 June. Emile Delanoë (Coutances)

20 July. Jean Martin known as Gambetta and Paul Véteau (Angoulême)

1 September. Elie Lagarde (Vendôme)

19 October. Roger-Jean Dureux (Paris)

24 October. Anton Cwojdzinski (Béthune)

14 November. Alphonse LeMayre (Béthune)

23 November. Pierre Delafet (Bordeaux)

15 December. Marcel Grandoux (Toulon)

1934

12 January. Jean Jouroucheff (Auch)

3 March. Pierre Gueurie (Angers)

10 April. Georges Sarrejani known as Sarret (Aix-en-Provence)

13 April. Jean-Baptiste Torre (Bastia)

30 April. Camille Maucuer (Marseille)

24 May. Gaston Philippot (Epinal)

26 July. Louis Vénnat (Moulins)

6 October. Ludwig Gala (Béthune)

1935

12 February. Pierre-Léon Barbat (Saint-Flour)

12 April. Henri Putigny (Chalon-sur-Saône)

21 June. André Spada (Bastia)

17 December. Joseph Lauer (Niort)

1936

15 February. Michel Nicoli (Avignon)

17 February. Joseph Sasias (Draguignan)

4 April. Henri Bourdon (Rodez)

6 June. Jules Duchemin and Victor Courcaud (Coutances)

15 June. Henri-Joseph Martin (Montauban)

25 June. Arthur Mahieu (Paris)

10 August. Antonio Rocchini (Grenoble)

13 August. Casimir Danquerke (Arras)

24 October. Juan-Manuel Rodriguez (Draguignan)

28 October. André Martin (Caen)

1937

18 February. Basile Gouczouliakoff (Dijon)

3 March. Henri Dardillac (Limoges)

8 May. Lucien-Victor Sittler (Strasbourg)

3 July. Gaston-Joseph Donatien (Caen)

21 July. René Kueny (Mulhouse)

1938

14 January. Lucien Boulay (Saint-Brieuc)

28 April. Fernand-Félix Hubert (Lille)

30 April. Frédéric-Louis Moyse (Paris)

14 May. Auguste Mary (Charleville-Mézières)

15 June. Camille Marcel Charbonnier (Epinal)

29 October. Ange Quaranta and Gabriel Hamphans (Carpentras)

1939

24 January. Abdelkader Rakida (Lyon)

4 February. Maurice Pilorge (Rennes)

2 May. André Vitel (Rouen)

2 June. Max Bloch (Paris)

18 June. Eugène Weidmann (Versailles)

19 July. Jean Dehaene (Saint-Brieuc)⁷

NOTES

Foreword

1. When plans were being made for the 1889 Exposition, its commissioners rejected plans for a 300 meter tall guillotine to honor victims of the terror, but the Eiffel Tower was built instead.
2. Robert Frederick Opie, *Guillotine: The Timbers of Justice* (Stroud, Gloucestershire: Sutton, 2003), 145.
3. It was used 566 times between 1870 and 1939.
4. Lee had accompanied a family friend who was a journalist. During interviews for a 1998 documentary he recounted that he did not actually watch the blade fall, rather, “I turned my head, but I heard.”

Introduction

I would like to thank my amazing translator Sarah-Louise Raillard for her patience and suggestions, as well as her extraordinarily thorough work.

1. Norbert Elias, *The Civilizing Process* (New York: Urizen Books, 1978 [1939]).
2. This is an estimate, as no official list of executions exists for the whole period, and some executions were not well documented. In this volume, we consider only civil executions marking the outcome of a legal trial and occurring in metropolitan France (we therefore do not examine executions that took place in French territories, colonies, or protectorates). Military executions by firing squad as well as wartime executions or the summary executions that happened during

the Paris Commune are also not part of our general analysis, although sometimes we will refer to them in the context of reflecting broader public sentiment.

3. Michel Gras, "Cité grecque et lapidation," in *Du châtement dans la cité: Supplices corporels et peine de mort dans le monde antique*, proceedings of a workshop organized by the École française de Rome, Rome November 9–11, 1982 (Rome: École française de Rome, 1984), p. 81.
4. Paul-Henri Stahl, *Histoire de la décapitation* (Paris: Presses universitaires de France, 1986), p. 16.
5. Jean-Claude Schmitt, "Le suicide au Moyen Âge," *Annales ESC*, vol. 31, no. 1 (January–February 1976), pp. 11–12.
6. G. Tourdes, "Supplices," in *Dictionnaire encyclopédique des sciences médicales*, ed. Dr. A. Dechambre (Paris: G. Masson-Asselin et Cie, 1882), p. 457.
7. Jean Imbert, *La peine de mort* (Paris: Presses universitaires de France, 1972), p. 76.
8. Eva Cantarella, *Les peines de mort en Grèce et à Rome: Origines et fonctions des supplices capitaux dans l'Antiquité classique* (Paris: Albin Michel, 2000), p. 8.
9. David Garland, *Peculiar Institution: America's Death Penalty in an Age of Abolition* (Oxford: Oxford University Press, 2010), p. 25.
10. Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), p. 25. Spierenburg traces the executioner's function back to the thirteenth century.
11. Louis-Sébastien Mercier, *Tableau de Paris*, vol. 1 (Paris: Mercure de France, 1994 [1781–1789]), p. 1700, n. 1.
12. Dominique Muller, "Magistrats français et peine de mort au 18e siècle," *Dix-huitième siècle*, no. 4 (1972), p. 80.
13. Michel Foucault, "Society Must Be Defended," *Lectures at the Collège de*

France (1975–1976), trans. David Macey (New York: Picador, 2003 [1997]), p. 28.

14. Émile Durkheim, “La peine,” *L’Année sociologique*, vol. 1 (1896–1897), Nendeln/Liechtenstein, Klaus reprint, 1969, p. 348, <https://gallica.bnf.fr/ark:/12148/bpt6k93908s/>.

15. Jean-Pierre Baud, *Le droit de vie et de mort: Archéologie de la bioéthique* (Paris: Aubier, 2001), p. 217.

16. Except in very rare cases in antiquity, see Dominique Briquel, “Formes de mises à mort dans la Rome primitive: Quelques remarques sur une approche comparative du problème,” in *Du châtement dans la cité*, op. cit., p. 226.

17. Albert Camus and Arthur Koestler, *Réflexions sur la peine capitale* (Paris: Calmann-Lévy, 1994 [1957]), pp. 110, 140.

18. This is notably the case for the militant authors Michel Taube and Benjamin Menasce (*Lettre ouverte aux Américains pour l’abolition de la peine de mort* [Paris: L’écart, 2000]), who moreover associate the law of retaliation with one-upmanship. At the same time, however, a number of authors argue that the *lex talionis* encourages balance and equivalence. It enforces the proportionality of compensation, but its application is not mandatory, and a ruling is always necessary to avoid revenge. See Raphaël Draï, *Le mythe de la loi du talion* (Paris: Anthropos, 1996). The *lex talionis* was a kind of progress because it modulated vengeance according to the severity of the damages and stopped the chain reaction of violence. See Jean-Pierre Baud, *Le droit de vie et de mort*, op. cit., p. 66. Nonetheless, common perception at the turn of the twentieth century was that the *lex talionis* was a form of potentially infinite revenge.

19. J. A. Sharpe, “ ‘Last Dying Speeches’: Religion, Ideology and Public Execution in Seventeenth-Century England,” *Past & Present*, no. 107 (May 1985). Last words and speeches became a genre of their own. Several examples can be found in Claude Aveline, *Les mots de la fin* (Paris: Hachette, 1957). Sometimes, a condemned individual also used his or her last words to denounce accomplices. See Emanuel Gogniat, “Avouer au seuil du gibet: enjeu social et judiciaire du testament de mort d’un brigand pendu à Genève en 1787,” *Crime, Histoire & Sociétés*, vol. 8, no. 2 (2004).

20. Michel Bée, “Le spectacle de l’exécution dans la France d’Ancien Régime,”

Annales ESC, no. 4 (1983), p. 852.

21. Paul Friedland, *Seeing Justice Done: The Age of Capital Punishment in France* (Oxford: Oxford University Press, 2012), pp. 124–125.

22. Émile Durkheim, “Note critique sur Marcel Mauss” (1896–1897), review of *La religion et les origines du droit penal*, by Marcel Mauss, in *Journal sociologique* (Paris: Presses universitaires de France, 1969), p. 129.

23. Émile Durkheim, “Deux lois de l’évolution pénale” (1900), in *Journal sociologique*, op. cit., p. 264.

24. Ibid., p. 268.

25. Michael Davis, “The Death Penalty, Civilization, and Inhumaneness,” *Social Theory and Practice*, vol. 16, no. 2 (Summer 1990), p. 252.

26. Emile Durkheim, “La peine,” art. cit., p. 352.

27. Michel Foucault, *Surveiller et punir: Naissance de la prison* (Paris: Gallimard, 1993 [1975]), p. 58.

28. For example, in the seventeenth and eighteenth centuries, the “amende honorable sèche” and the “blâme” (or censure), where convicted individuals professed their guilt and begged for pardon behind closed doors. See Pascal Bastien, *L’exécution publique à Paris au XVIIIe siècle: une histoire des rituels judiciaires* (Seyssel: Champ Vallon, 2006), p. 27; Leah Otis-Cour, “L’exemplarité de la peine en question: La pratique de la ‘peine cachée’ dans le Midi de la France au XVe siècle,” *Revue historique de droit français et étranger*, vol. 80, no. 2 (April–June 2002).

29. Claude Gauvard, “De grace especial”: *Crime, Etat et société en France à la fin du Moyen Âge*, vol. 2 (Paris: Publications de la Sorbonne, 1991), p. 902.

30. Michel Porret, “‘Effrayer le crime par la terreur des châtements’: la pédagogie de l’effroi chez quelques criminalistes du XVIIIe siècle,” in *La peur au XVIIIe siècle, discours, représentations, pratiques*, ed. Jacques Berchtold and M. Porret (Geneva: Droz, 1994).

31. Etienne Tassin, “Espace commun ou espace public? L’antagonisme de la

communauté et de la publicité,” *Hermès*, no. 10 (1992).

32. Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger and Frederick Lawrence (Cambridge: MIT Press, 1989 [1962]), p. 28.

33. David Garland, *Peculiar Institution*, op. cit., p. 52.

34. In 1842, 400,000 people were in attendance for the funeral of the Duc d’Orléans. See Avner Ben-Amos, *Funerals, Politics, and Memory in Modern France, 1789–1996* (Oxford: Oxford University Press, 2000), p. 68. One million celebrated the Republic’s centennial fifty years later. See Olivier Ihl, *La fête républicaine* (Paris: Gallimard, 1996), p. 298.

35. Gaston Griot and Henry Bourdeaux, *Code pénal et code de justice militaire: Armée de terre. Code pénal annoté d’après la doctrine et la jurisprudence*, 29th ed. (Paris: Librairie Dalloz, 1931). According to Anne Vaisman, the end of this period witnessed an increase in the application of the death penalty with the law passed on January 14, 1937, which prescribed the death penalty for child abduction, and two other decree-laws that prescribed the death penalty for treason and espionage. Anne Vaisman, “La fin des exécutions capitales en public en France” (masters thesis, Université Paris VII, 1982), p. 64.

36. Stuart Banner, *The Death Penalty: An American History* (Cambridge, MA: Harvard University Press, 2003), pp. 94–100.

37. J. A. Sharpe, “Civility, Civilizing Process, and the End of Public Punishment in England,” in *Civil Histories. Essays presented to Sir Keith Thomas*, ed. Peter Burke, Brian Harrison, and Paul Slack (Oxford: Oxford University Press, 2000), p. 217.

38. Pascal Bastien, “Fête populaire ou cérémonial d’Etat? Le rituel de l’exécution publique selon deux bourgeois de Paris (1718–1789),” *French Historical Studies*, vol. 24, no. 3 (2001), p. 502.

39. T. Sabatier, *Des exécutions capitales à Aix. Et de l’assistance que les pauvres suppliciés reçoivent de la Compagnie des FF. Pénitents Bleus. Extrait de l’Echo des Bouches-du-Rhône* (Aix: Illy, 1860), p. 7.

40. See the averages in Jean-Claude Chesnais, *Les morts violentes en France*

depuis 1826: Comparaisons internationales (Paris: Presses universitaires de France-INED, Cahiers Travaux et Documents no. 75, 1976), p. 36.

41. These numbers would drop significantly after the Second World War.

42. As a result, we have generally used masculine pronouns to refer to the condemned individuals, unless otherwise specified.

43. Alfred Fouillée, “Les jeunes criminels, l’école et la presse,” *Revue des deux mondes*, vol. 139, January 1, 1897, p. 418.

44. The name of this Native American tribe was used in Paris to talk about gangs of unemployed youths who engaged in delinquent acts.

45. *L’Éclair*, May 21, 1908.

46. Dominique Kalifa, *L’Encre et le sang: Récits de crimes et société à la Belle Époque* (Paris: Fayard, 1995), p. 176.

47. Dominique Kalifa, “Les lieux du crime: Topographie criminelle et imaginaire social à Paris au XIXe siècle,” *Sociétés & Représentations*, “Imaginaires parisiens,” no. 17 (March 2004), pp. 137ff.

48. Jean Delumeau, *La peur en Occident* (Paris: Hachette, 1996 [1978]), p. 533.

49. Martine Kaluszynski, “Le criminel sous le regard du savant,” *Autrement*, special issue “Science ou justice? Les savants, l’ordre et la loi,” *Série Mutations, sciences en société*, no. 145 (May 1994), p. 75.

50. Pierre-André Taguieff, *La Couleur et le sang: Doctrines raciales à la française* (Paris: Mille et une nuits, 2002 [1998]).

51. Pasquale Pasquino, “Naissance d’un savoir spécial: la criminologie,” *Sociétés & Représentations*, special issue “Michel Foucault. Surveiller et punir: la prison vingt ans après,” no. 3 (November 1996), p. 181.

52. In possession at the time of Scriptura, which graciously granted me access to its archives. On bias in judicial and police archives, see Jean-Marc Berlière, “Les archives de police: des fantasmes aux mirages,” in *L’histoire contemporaine et les usages des archives judiciaires (1800–1939)*, ed. Frédéric Chauvaud and

Jacques-Guy Petit (Paris: Honoré Champion, 1998); and Arlette Farge, *Délinquance et criminalité: le vol d'aliments à Paris au XVIIIe siècle* (Paris: Plon, 1974), p. 145.

53. Dominique Kalifa, "Les tâcherons de l'information: petits reporters et faits divers à la 'Belle Epoque,'" *Revue d'histoire moderne et contemporaine*, vol. 40, no. 4 (October–December 1993).

54. On selection and representativeness bias, see José Barranco and Dominique Wisler, "Validity and Systematicity of Newspaper Data in Event Analysis," *European Sociological Review*, vol. 15, no. 3 (September 1999).

55. Pieter Spierenburg, *Spectacle of Suffering*, op. cit., p. 184.

56. Norbert Elias, *On the Process of Civilization*, in *The Collected Works of Norbert Elias*, vol. 3, ed. Stephen Mennell, Eric Dunning, Johan Goudsblom, and Richard Kilminster (Dublin: University College Dublin Press, 2012), p. 117.

57. *Ibid.*, p. 141.

58. Pieter Spierenburg, *Spectacle of Suffering*, op. cit., p. 184.

59. Pieter Spierenburg, "Punishment, Power, and History: Foucault and Elias," *Social Science History*, vol. 28, no. 4 (Winter 2004), p. 622.

60. Michel Foucault, *Discipline and Punish*, op. cit., p. 9.

61. *Ibid.*, p. 23.

62. Michel Foucault, *The Birth of Biopolitics, Lectures at the Collège de France (1978–1979)* (New York: Palgrave Macmillan, 2008), p. 46.

63. Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600–1987* (London: Penguin Books, 1997 [1996]), pp. 147, 402.

64. *Ibid.*, pp. 880, 883.

65. *Ibid.*, pp. 900, 903.

66. V. A. C. Gatrell, *The Hanging Tree: Execution and the English People*,

1770–1868 (Oxford: Oxford University Press, 1996 [1994]), p. 227.

67. Philip Smith, “Executing Executions: Aesthetics, Identity, and the Problematic Narratives of Capital Punishment Ritual,” *Theory and Society*, vol. 25, no. 2 (April 1996), p. 238.

68. V. A. C. Gatrell, *Hanging Tree*, op. cit., p. 590, for all the expressions cited.

69. John Pratt, *Punishment & Civilization*, op. cit., p. 19.

70. Stuart Banner, *Death Penalty*, op. cit., p. 156.

71. Annulla Linders, “The Execution Spectacle and State Legitimacy: The Changing Nature of the American Execution Audience, 1833–1937,” *Law & Society Review*, vol. 36, no. 3 (2002), pp. 608, 611.

72. Stuart Banner, *Death Penalty*, op. cit., p. 162.

73. *Ibid.*, p. 109.

74. David Garland, *Peculiar Institution*, op. cit., pp. 146–149.

75. *Ibid.*, p. 150.

76. John D. Bessler, *Death in the Dark: Midnight Executions in America* (Boston: Northeastern University Press, 1997), p. 71. With reference to the United States, for a general overview, see also David Garland, Randall McGowen, and Michael Meranze, eds., *America’s Death Penalty: Between Past and Present* (New York: New York University Press, 2011); and for case studies, see Christopher Kudlac, *Public Executions: The Death Penalty and the Media* (Westport, CT: Praeger, 2007).

77. On Elias and theories of political development, see Bertrand Badie and Pierre Birnbaum, *Sociologie de l’Etat* (Paris: Grasset, 1983 [1979]), pp. 13ff.

78. Norbert Elias, *The Court Society* (Dublin: University College Dublin Press, 2006 [1969]); on the distinctive practices of the elites and their effect on general mores, see Jean-Hugues Déchaux, “N. Elias et P. Bourdieu: analyse conceptuelle comparée,” *Archives européennes de sociologie*, vol. 34, no. 2 (1993).

79. Pieter Spierenburg, "Punishment, Power, and History," art. cit., p. 624.

80. Ibid.

81. Ibid., p. 632.

82. Alain Corbin, "Intervention au colloque de New York University," *French Politics, Culture and Society*, vol. 22, no. 2 (Summer 2004), p. 114. Philip Smith, "Narrating the Guillotine: Punishment Technology as Myth and Symbol," *Theory, Culture & Society*, vol. 20, no. 5 (October 2003).

83. George L. Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars* (New York: Oxford University Press, 1990).

1. Competition between Legal Publicity and the Press

1. *Le Petit journal*, November 15, 1879. Prunier, who killed an elderly woman and violated her body, was executed on November 13, 1879.

2. CARAN, BB²⁴ 2054. *Recours en grâce des condamnés à mort*, November 1882, March–October 1883. Édouard Holtz was executed on September 17, 1883.

3. According to *Le Petit journal*, the number was closer to five thousand spectators. *Le Petit journal*, September 19, 1883.

4. CARAN, BB²⁴ 2063. *Recours en grâce des condamnés à mort*, June 1884, December 1886, and January–June 1887. Désiré Gaussein was executed on June 15, 1887.

5. *Le Cri du Peuple*, January 13, 1887; *Le Petit méridional* confirmed an exceptional number of spectators, which blocked traffic throughout the city (January 12, 1887).

6. See R. Bruyez's article in *Le Petit journal*, December 28, 1931. Condemned to death for having killed a jeweler, Georges Gauchet was executed on December 26, 1931.

7. One important witness, Abbé Faure, the death row chaplain at the Grande Roquette prison after 1885, noted that for Henri Pranzini's execution in 1887, following the path to carry the corpse to the cemetery (from La Roquette to the mass grave for convicts in Ivry cemetery), on the Place d'Italie, he saw fun houses and numerous canvases depicting the crime that took place on Rue Montaigne and the criminal's execution (which had just taken place). Jean-Baptiste Faure, *Au pied de l'échafaud: Souvenirs de la Roquette* (Paris: Maurice Dreyfous, 1893), p. 146.

8. Versailles municipal archives, 3 I 752. Exécutions capitales 1912–1939: Procès Landru—Documentation, 1921.

9. Frédéric Chauvaud, "L'élimination des traces: L'effacement des marques de la barricade à Paris (1830–1871)," in *La barricade*, ed. Alain Corbin and Jean-Marie Mayeur (Paris: Publications de la Sorbonne, 1997).

10. This was the case for *Le Petit journal* in which, in order to fill the position left by its star reporter Thimothée Trimm (alias Léo Lespès, 1815–1875), the paper invented a similar-sounding collective pseudonym, Thomas Grimm. On Léo Lespès, see Jules Vallès, "Thimothée Trimm et Thérèse" (1866), in *Œuvres*, vol. 1 (Paris: Gallimard, "La Pléiade" collection, 1975). The transition between two (or more) journalists was often concealed by the creation of a "hypersignature," a general device that the newspaper used to harmonize different forms of writing and that functioned as an "operator of editorial consistency." See Olivier Isaac, "Journal écrit et journal conçu: l'hyper-signature du Petit journal à l'époque de l'affaire Troppmann," *Quaderni*, no. 56 (Winter 2004/2005), p. 38.

11. In zero focalization, the narrator speaks regarding all the characters from an omniscient point of view. In internal focalization, the narrator can speak only from his or her limited point of view.

12. *Le Petit journal*, December 2, 1871.

13. *Le Petit journal*, December 4, 1871.

14. *Le Petit journal*, March 1, 1871.

15. A news brief of this kind can be seen in one of the newspaper's first issues. *Le Petit journal*, February 11, 1863.

16. *Le Petit journal*, August 1, 1871.

17. Tommaso Campanella, *The City of the Sun: A Poetical Dialogue* (*La città del sole: dialogo poetico*), trans. Daniel J. Donno (Berkeley: University of California Press, 1981 [1602]).

18. Pierre-Simon Ballanche, *La ville des expiations et autres textes* (Lyon: Presses Universitaires de Lyon, 1981 [1831–1834]).

19. Olivier Fillieule and Danielle Tartakowsky, *La manifestation* (Paris: Presses de Sciences Po, 2008), p. 39.

20. *La Libre parole*, October 14, 1909.

21. *Le Petit journal*, August 24, 1927; on the political impact of this double execution, see chapter 7 (“Sacco–Vanzetti”) in Danielle Tartakowsky, *Les manifestations de rue en France: 1918–1968* (Paris: Publications de la Sorbonne, 1998).

22. When the headline existed. For several decades, the major newspapers did not have a single headline on their front pages, but a series of competing articles, each of which generally occupied one or two columns (out of a usual total of six).

23. *Le Petit journal*, February 6, 1894.

24. *Le Petit journal*, April 20, 1894, and April 22, 1894.

25. *Le Petit journal*, September 15, 1932. The upcoming execution had made the front page in the paper the night before, but the fact that its account was exiled to the inside pages the next morning is remarkable.

26. *Le Petit journal*, August 17, 1894.

27. The contemporary press kit can be found in the Rhône departmental archives, 4 M 313. Caserio, 1894. This tends to confirm Karelle Vincent’s analysis, according to which the influence of Doumer’s assassination was less significant than Carnot’s. Karelle Vincent, “Le régicide en République: Sadi Carnot, 24 juin 1894—Paul Doumer, 6 mai 1932,” *Crime, Histoire & Sociétés*, vol. 3, no. 2 (1999).

28. La Loire républicaine, July 9, 1892. Ravachol was executed on July 11, 1892.
29. La Loire républicaine, July 12, 1892.
30. La Loire républicaine, July 21, 22, and 24, 1892.
31. Le Petit journal, June 17, 1924.
32. Le Petit journal, March 25, 1925.
33. For example, this was the case for Le Petit journal in 1920, where it was a matter of selection bias. See Jennifer Earl, Andrew Martin, John D. McCarthy, and Sarah A. Soule, "The Use of Newspaper Data in the Study of Collective Action," *Annual Review of Sociology*, vol. 30 (2004).
34. This is what Le Petit méridional did on October 10, 1923, for the execution of Félix Gueydan, as well as Le Temps on June 18, 1939, for Weidmann's execution.
35. Weidmann was even followed into his prison cell, see *Détective*, March 9, 1939. Le Petit journal, June 18, 1939.
36. La Croix, June 18–19, 1939.
37. Le Matin, June 18, 1939.
38. Le Petit Parisien, June 17, 1939.
39. Les Nouvelles de Versailles, June 20, 1939.
40. Le Petit journal, December 27, 1931.
41. Le Petit journal, October 16, 1931. The article was signed René Bruyez.
42. Michelle Perrot, *Les ombres de l'histoire: Crime et châtement au XIXe siècle* (Paris: Flammarion, 2003 [2001]), p. 254.
43. Antoine François Claude, *Mémoires de Monsieur Claude, chef de la police de sûreté sous le Second Empire*, vol. 4 (Paris: Jules Rouff, 1882), p. 328.

44. Michel-Louis Rouquette, *La rumeur et le meurtre: L'affaire Fualdès* (Paris: Presses universitaires de France, 1992).
45. Maxime Du Camp, *Paris: Ses organes, ses fonctions et sa vie dans la seconde moitié du XIXe siècle*, vol. 3 (Paris: Librairie Hachette et Cie, 1872), pp. 126, 214.
46. CARAN, BB²⁴ 722. Appeal for a pardon for J.-B. Troppmann, copy of a report sent on January 20, 1870 to the head of the first division by the director of the Mazas prison.
47. Frédéric Chauvaud, "Les figures du monstre dans la seconde moitié du XIXe siècle," *Ethnologie française*, "Violence brutalité barbarie," vol. 21, no. 3 (July–September 1991), p. 248.
48. *Le Petit journal*, January 21, 1870.
49. Henri Marsey, "Condamné à mort," *Le Gaulois*, January 1, 1870.
50. *L'Opinion nationale*, January 20, 1870.
51. According to official reports, Troppmann was a mechanic. CARAN, BB²⁴ 722. *Recours en grâce de J.-B. Troppmann*.
52. *Le Petit journal*, January 16, 1870.
53. Roger Borderie, "Préface" to Hugo (Victor), *Le dernier jour d'un condamné* (Paris: Gallimard, 2000 [1829]).
54. Michelle Perrot, "Post-scriptum" to "L'affaire Troppmann (1869)," in *Les ombres de l'histoire*, op. cit., p. 298. First published in *L'Histoire*, no. 30, January 1981.
55. CARAN, BB²⁴ 2039 1. *Recours en grâce des condamnés à mort*, August–December 1872 and January–May 1873. The spelling is that provided by the chairman in his report on the case. Augustin Guyard was executed on March 25, 1873 in Laon.
56. *Le Petit journal*, February 25, 1872. Léon Bourgogne was executed on April 4, 1872, in Troyes.

57. Laurent Bihl, “ ‘Sans pardon (1914)’ : Adolphe Willette ou la propagande par l’outrance,” *Sociétés & Représentations*, “Dramaturgie du Politique,” no. 12 (October 2001), p. 53.
58. Dominique Kalifa, *L’encre et le sang*, op. cit., p. 275; and “Crime, fait divers et culture populaire à la fin du XIXe siècle,” *Genèses*, “Incriminer,” no. 19 (April 1995), pp. 70ff.
59. Georges Grison, *Paris horrible et Paris original* (Paris: E. Dentu, 1882), p. 217. Menesclou killed a young girl. He was executed in Paris on September 8, 1880.
60. Charles Perrier, *Les criminels: Étude concernant 859 condamnés*, vol. 2 (Paris: A. Maloine, 1905), pp. 361ff.
61. Jules Fréval, “Le secret de Troppmann [sic],” *Le Petit journal*, November 11, 1881 (first press).
62. *Le Gaulois*, January 17, 1870.
63. Ivan Turgenev, “The Execution of Troppmann,” trans. David Magarshack, in *Ivan Turgenev: Literary Reminiscences and Autobiographical Fragments* (New York: Farrar, Straus and Giroux, 1958 [1870]), p. 306.
64. *Le Petit journal*, January 9, 1870.
65. *Le Siècle*, January 20, 1870.
66. *Le Figaro*, January 20, 1870.
67. Michelle Perrot, “L’affaire Troppmann (1869),” *L’Histoire*, no. 30 (January 1981), p. 37.
68. *L’Opinion nationale*, January 21, 1870.
69. *La Gazette des Tribunaux*, January 20, 1870, for both elements.
70. *Le Petit journal*, January 20, 1870.
71. Ad. Guérault, “La guillotine,” *L’Opinion nationale*, January 21, 1870.

72. Albert Wolff, "Exécution de Troppmann," *Le Figaro*, January 21, 1870.
73. Georges Froissard, "L'exécution de Troppmann," *Le Gaulois*, January 21, 1870.
74. *Le Gaulois*, January 20, 1870. If we are to believe Abbot Moreau, this article is to be taken with a grain of salt, as its author was unable to attend the execution himself. Abbé Georges Moreau, *Souvenirs de la petite et de la grande Roquette*, vol. 2 (Paris: Henri Vivien, 1888), p. 241.
75. *Le Petit journal*, January 21, 1870.
76. *Le Moniteur universel*, January 20, 1870.
77. Nicolas Mariot, *Bains de foules: Les voyages présidentiels en province, 1888–2002* (Paris: Belin, "Socio-histoires" collection, 2006), p. 53.
78. Albert Wolff, "Exécution de Troppmann," *Le Figaro*, January 21, 1870.
79. G. Froissard, "L'exécution de Troppmann," *Le Gaulois*, January 21, 1870.
80. *Le Siècle*, January 21, 1870.
81. *Gazette des tribunaux*, January 21, 1870.
82. *Le Petit journal*, January 21, 1870.
83. *Gazette des tribunaux*, January 21, 1870.
84. *Le Petit journal*, January 21, 1870.
85. *La Presse*, January 21, 1870.
86. A few years later, upon entering a café, the editor of *Le Cri du peuple* heard a number of spectators discussing the death penalty in a very serious fashion. Pierre Boz, "Sadisme social," *Le Cri du peuple*, September 6, 1887.
87. Patricia Paperman, "L'absence d'émotion comme offense," in *La couleur des pensées. Sentiments, émotions, intentions*, ed. P. Paperman and Ruwen Ogien (Paris: Éditions de l'EHESS, 1995).

88. Le Figaro, January 21, 1870.
89. La Presse, January 21, 1870.
90. Ivan Turgenev, "The Execution of Troppmann," op. cit., p. 312.
91. CARAN, BB²⁴ 722. Appeal for a pardon for J.-B. Troppmann, report of the imperial district attorney to the minister of justice, January 19, 1870.
92. Le Moniteur universel, January 20, 1870.
93. Louis Arnold, "Des exécutions publiques," Le Gaulois, January 24, 1870.
94. Thomas Grimm (collective pseudonym), "La foule et l'échafaud," Le Petit journal, June 24, 1870.
95. Le Petit journal, December 21, 1889. Kaps was executed in Paris on December 19, 1889. Although the newspaper mentioned three hundred spectators, the official reports mentioned around four hundred individuals in attendance, APPO, BA 887. "Exécutions des arrêts criminels. 1872 à 1899."
96. "Exécutions publiques," Le Cri du peuple, December 26, 1889.
97. Le Petit journal, June 13, 1886. Léon Jean was executed in Versailles on June 11, 1886.
98. Thomas Grimm (collective pseudonym), Le Petit journal, "Les exécutions capitales," June 30, 1886.
99. Félix Duquesnel, "La peine de mort et les exécutions capitales," Le Petit journal, July 11, 1898.
100. Albert Camus, "Réflexions sur la guillotine," in Réflexions sur la peine capitale, A. Camus and Arthur Koestler, op. cit., p. 126.
101. Le Petit journal, June 18, 1939. Photographs and a film of this execution exist (see plates 15 and 17, and the last page of the bibliography).
102. Anne Vaisman did not manage to find the issue of Paris-Soir mentioned by Camus and believes that it must have been seized by the authorities. An expert

on Weidmann's execution, Vaisman does not believe that the associated scandals and photographs taken were the sole motives behind the prohibition law adopted on June 24, 1939. A. Vaisman, *La fin des exécutions capitales en public en France*, op. cit., p. 53.

103. "Une vilaine nuit! ...," *L'Intransigeant*, June 18, 1939.

104. *Le Matin*, June 25, 1939.

2. Conservative Representations of Executions

1. Pierre Lascoumes, Pierrette Poncela, and Pierre Lenoël, *Les grandes phases d'incrimination entre 1815 et 1940: Les mouvements de la législation pénale: Lois, décrets, projets, propositions* (Paris: GAPP-CNRS-Paris X, Ministry of Justice, November 1992), p. 12.

2. *Ibid.*, p. 7.

3. The "Apaches" were a violent Parisian underworld gang that earned its name by comparison with the American Indian tribe. On the criminal policies of the Third Republic, see Martine Kaluszynski, *La République à l'épreuve du crime: La construction du crime comme objet politique, 1880–1920* (Paris: LGDJ, "Droit et société" series, 2002).

4. *L'Éclair*, May 22, 1908.

5. *L'Éclair*, May 23, 1908.

6. He did not support the systematic use of the death penalty, but wished to preserve it in the law. Henri Joly, "Le problème pénal au moment présent et la peine de mort," *Revue des deux mondes*, vol. 49, January 1, 1909.

7. *L'Éclair*, June 8, 1908.

8. *L'Éclair*, May 19, 1908.

9. L'Éclair, May 22, 1908.

10. Jacques Bertillon was the older brother of Alphonse Bertillon, who developed the technique of anthropometry at the end of the nineteenth century.

11. L'Éclair, May 23, 1908.

12. Alexandre Lacassagne, *Peine de mort et criminalité: L'accroissement de la criminalité et l'application de la peine capital* (Paris: A. Maloine, 1908), p. 161.

13. Dr. Max-Albert Legrand, "La peine de mort et les châtiments corporels appliqués aux criminels (L'opinion des intéressés)," *Archives de l'anthropologie criminelle*, vol. 23 (1908), p. 695.

14. Dr. P.-L. Ladame, "Peine de mort et criminalité," *Revue pénale suisse*, vol. 22 (1909), p. 14.

15. Dr. Lejeune, *Faut-il fouetter les Apaches?* (Paris: Librairie du Temple, 1910), pp. 14–15.

16. *Ibid.*, p. 17.

17. *Ibid.*, p. 64.

18. *Ibid.*, p. 71.

19. *Ibid.*, p. 72.

20. Arlette Farge explains that during the eighteenth century, convicted criminals were put on the wheel naked, and that this marked one of the last forms of public male nudity exposed during punishment. Women were not subjected to punishment by the wheel, but instead hanged, fully clothed and with their faces covered. A. Farge, *La vie fragile. Violence, pouvoirs et solidarités à Paris au XVIIIe siècle* (Paris: Hachette, 1986), p. 231.

21. Hippolyte Laurent, *Les châtiments corporels* (Lyon: Librairie Phily, 1912), p. 248.

22. Hippolyte Laurent, *Le fouet contre le crime* (Lyon-Paris: Paul Phily-A. Rousseau, 1913), p. 18.

23. Ibid., p. 21.

24. Ibid., p. 23.

25. On sensibility as historical data, see Emmanuel Taïeb, “La fabrique d’un intolérable: Exécutions publiques et police des sensibilités,” *Vingtième siècle*, no. 123 (July–September 2014).

26. Numerous details regarding this case can be found in Jean-Marc Berlière, *Le crime de Soleilland (1907): Les journalistes et l’assassin* (Paris: Tallandier, 2003).

27. *Le Matin*, September 15, 1907.

28. Albert Monniot, “Les effets de la grâce,” *La Libre parole*, September 21, 1907.

29. Julie Le Quang Sang, *La loi et le bourreau, La peine de mort en débats (1870–1985)* (Paris: L’Harmattan, 2001), p. 68.

30. Out of a total of 1,412,347 responses, 1,083,655 were in favor of preserving the death penalty, compared to 328,692 in favor of abolishing it. Ibid., p. 72.

31. *La Gazette de France*, September 17, 1907.

32. *L’Intransigeant*, September 16, 1907.

33. Georges Berthoulat, “Le cabinet Soleilland,” *La Liberté*, September 17, 1907.

34. *L’Humanité*, September 16, 1907.

35. *La Petite République*, September 16, 1907.

36. Guy de Cassagnac, “Pour les petits enfants!” *L’Autorité*, September 26, 1907.

37. *L’Autorité*, September 15, 1907.

38. Dominique Kalifa, “Crises de la répression?” *Crime et culture au XIXe siècle* (Paris: Perrin, 2005), p. 277.

39. These results are more detailed than those obtained by *Le Petit Parisien* during its consultation on the subject.
40. Gérard Baal, “Le débat de 1908 sur la peine de mort,” *Le Temps de l’histoire*, special issue, “Histoire et justice: Panorama de la recherche sur la justice” (November 2001), p. 114.
41. Julie Le Quang Sang, *La loi et le bourreau*, op. cit., p.111; idem, “L’abolition de la peine de mort en France: le rendez-vous manqué de 1906–1908,” *Crime, Histoire & Sociétés*, vol. 6, no. 1 (2002), p. 79.
42. Robert Badinter, *La Prison républicaine (1870–1914)* (Paris: Fayard, 1992), pp. 348 and 357.
43. Gérard Baal, “Le débat de 1908 sur la peine de mort,” art. cit., p. 125.
44. Julie Le Quang Sang, *La loi et le bourreau*, op. cit., p. 112.
45. Carolyn Strange, “The Undercurrents of Penal Culture: Punishment of the Body in Mid-Twentieth-Century Canada,” *Law and History Review*, vol. 19, no. 2 (2001).
46. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 47.
47. Richard J. Evans, *Rituals of Retribution*, op. cit., pp. 222 and 320. In Nazi Germany, however, in one case, the guillotine was used to mark the severity of the crime (instead of hanging): the case of Marinus Van der Lubbe, convicted of setting the Reichstag on fire and guillotined on January 10, 1934. See *Le Petit journal*, January 11, 1934.
48. See CARAN, BB¹⁸ 6585 71 BL. Exécuteurs des hautesœuvres.
49. Fernand Meyssonier, *Paroles de bourreau: Témoignage unique d’un Exécuteur des Arrêts criminels* (Paris: Imago, 2002), p. 137.
50. For example, Harold Hillman, “The Possible Pain Experienced during Execution by Different Methods,” *Perception*, vol. 22, no. 6 (1993).
51. Norbert Elias, *The Court Society*, in *The Collected Works of Norbert Elias*, vol. 2, ed. Stephen Mennell (Dublin: University College Dublin Press, 2006), p.

240.

52. In German, Zusammenbruch der Zivilisation. Translated as the “breakdown of civilization” by Stephen Mennell and Eric Dunning. Norbert Elias, *The Germans: Power Struggles and the Development of Habitus in the Nineteenth and Twentieth Centuries* (Cambridge: Polity Press, 1998) (first German edition, 1989 [1961–1980]), p. 299. “Decivilization” comes from the German ent-zivilisierung, p. 1.

53. Jonathan Fletcher, *Violence and Civilization: An Introduction to the Work of Norbert Elias* (Cambridge: Polity Press, 1997), pp. 84–85.

54. Stephen Mennell, “Decivilising Process: Theoretical Significance and Some Lines of Research,” *International Sociology*, vol. 5, no. 2 (June 1990).

55. Abram de Swaan, “Dyscivilization, Mass Extermination and the State,” *Theory, Culture & Society*, vol. 18, no. 2–3 (2001).

56. Jean-Marc Berlière, *Le crime de Soleilland*, op. cit., pp. 198ff.

57. Arlette Lebigre, “ ‘Pour l’exemple et la terreur du peuple,’ ” *La justice du Roi: La vie judiciaire dans l’ancienne France* (Paris: Albin Michel, 1988), p. 134.

58. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 338. J. A. Sharpe identifies 1868 as the date that whipping men in public was abolished. He also notes that the civility that, according to him, dictated such changes, was divided along gender lines. J. A. Sharpe, “Civility, Civilizing Process, and the End of Public Punishment in England,” in *Civil Histories: Essays presented to Sir Keith Thomas*, ed. Peter Burke, Brian Harrison, and Paul Slack (Oxford: Oxford University Press, 2000), p. 227.

59. Jean-Claude Caron, *A l’école de la violence: Châtiments et sévices dans l’institution scolaire au XIXe siècle* (Paris: Aubier, 1999), pp. 73 and 91.

60. George L. Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars* (New York: Oxford University Press, 1990), p. 126.

61. *Ibid.*, pp. 155–156.

62. Ibid., p. 162.

63. Norbert Elias, *The Germans*, op. cit., p. 186.

64. Ibid., p. 196.

65. François Guillet, *La mort en face: Histoire du duel de la Révolution à nos jours* (Paris: Aubier, “Historique” collection, 2008).

66. Antoine Prost, “Les limites de la brutalisation: Tuer sur le front occidental, 1914–1918,” *Vingtième siècle*, no. 81 (January–March 2004).

67. Ibid., pp. 16–17.

68. Nicolas Mariot, “Faut-il être motivé pour tuer? Sur quelques explications aux violences de guerre,” *Genèses*, no. 53 (December 2003).

69. Norbert Elias, *The Germans*, op. cit., p. 342.

70. Eric Dunning and Stephen Mennell, “Elias on Germany: Nazism and the Holocaust: On the Balance between ‘Civilizing’ and ‘Decivilizing’ Trends in the Social Development of Western Europe,” *British Journal of Sociology*, vol. 49, no. 3 (September 1998), p. 348.

71. Norbert Elias, *The Germans*, op. cit., p. 119.

72. Erik Neveu, “Elias et les Allemands” (Critical reading), *Revue française de science politique*, vol. 47, no. 5 (October 1997), p. 647.

73. Leo Strauss, “German Nihilism,” *Interpretation*, vol. 26, no. 3 (Spring 1999), p. 369, http://www.interpretationjournal.com/backissues/Vol_26-3.pdf.

74. Jean-Marie Mayeur, *Les débuts de la IIIe République: 1871–1898*, *Nouvelle histoire de la France contemporaine*, vol. 10 (Paris: Seuil, 1973), pp. 21–22.

75. Gréard, cited by Georges Vigarello and Richard Holt, “Le corps travaillé: Gymnastes et sportifs au XIXe siècle,” in *Histoire du corps*, vol. 2, *De la Révolution à la Grande Guerre*, ed. Alain Corbin (Paris: Seuil, 2005), p. 365.

76. Philippe Contamine, “Mourir pour la patrie: Xe–XXe siècle,” in *Les lieux de*

mémoire, vol. 2, and *La Nation*, vol. 3, ed. Pierre Nora (Paris: Gallimard, 1986), pp. 37 and 39.

77. Madeleine Rebérioux, *La République radicale? 1898–1914*, *Nouvelle histoire de la France contemporaine*, vol. 11 (Paris: Seuil, 1975), p. 35.

78. Jean-Jacques Becker, “Les intellectuels et la justification de la guerre en France et en Allemagne au début de la Grande Guerre,” *Droit & Cultures*, no. 45 (2003/2001).

79. Michel Foucault, *Surveiller et punir*, op. cit., p. 61.

80. Jonathan Fletcher, *Violence & Civilization*, op. cit., pp. 132–135; Richard J. Evans, *Rituals of Retribution*, op. cit., p. 402; V. A. C. Gatrell, *The Hanging Tree*, op. cit., pp. 246 and 250.

81. Xavier Lapray, “L’exécution publique de la peine capitale à Paris entre 1870 et 1914” (Masters thesis, Université Paris I, 1991), p. 111.

82. See chapter 1 in this volume.

83. Georges Grison, *Souvenirs de la place de la Roquette* (Paris: E. Dentu, 1883), p. 120.

84. Ernest Raynaud, *Souvenirs de police (au temps de Ravachol)* (Paris: Payot, 1923), pp. 66ff.

85. Abbé Jean-Baptiste Faure, *Au pied de l’échafaud*, op. cit.

86. *Le Petit journal*, August 21, 1919. The law passed on December 30, 1911 stipulated that members of the military who had been sentenced to death for common law crimes would be punished in accordance with common law (they would have their “heads lopped off,” as Article 12 of the Criminal Code stated). Before this date, if a crime had been committed during a soldier’s furlough, common law was likewise applied. See CARAN, BB²⁴ 2107. *Recours en grâce des condamnés à mort*, January–May 1912. Nolot & Tisseau file; Gaston Griole and Henry Bourdeaux, *Code pénal et code de justice militaire*, op. cit.

87. Albert Bataille, *Causes criminelles et mondaines de 1891* (Paris: E. Dentu, 1892), p. 238.

88. Le Petit journal, August 21, 1919.
89. Le Petit journal, December 4, 1871.
90. Le Progrès de Lyon, February 6, 1894.
91. So argued Albert Bataille regarding Nikolai Rysakov (condemned in Russia for the assassination of Czar Alexander II) and also perhaps regarding the French, almost all of whom asked for a presidential pardon. Albert Bataille, *Causes criminelles et mondaines de 1881* (Paris: E. Dentu, 1882), p. 187.
92. Le Petit journal, September 25, 1882. Pierre-Jules Barbier was executed on September 22, 1882, in La Roche-sur-Yon.
93. Albert Bataille, *Causes criminelles et mondaines de 1894: Les procès anarchistes* (Paris: E. Dentu, 1895), p. 145.
94. Le Petit journal, August 17, 1894.
95. Le Nouvelliste, August 17, 1894.
96. Lyon républicain, August 16, 1894.
97. Le Cri du peuple, April 10, 1886. Florent Kœnig was executed on 04/09/1886 in Paris.
98. Détective, January 1, 1931.
99. Jacques Derrida, Seminar on the death penalty at the EHESS, session on December 13, 2000 (unpublished).
100. Nicole Loraux, "La 'belle mort' spartiate," *Ktèma*, no. 2 (1977), p. 105.
101. Jean-Pierre Vernant, "La belle mort et le cadavre outragé," in *La mort, les morts dans les sociétés anciennes*, ed. Gherardo Gnoli and Jean-Pierre Vernant (Cambridge and Paris: University Press and Editions de la Maison des Sciences de l'Homme, 1982), p. 53.
102. Ernst Kantorowicz, *Mourir pour la patrie et autres textes* (Paris: Presses universitaires de France, 1984).

103. Ibid., p. 127.

104. Ibid., p. 137.

105. Philippe Contamine, “Mourir pour la patrie ...,” art. cit., p. 35.

106. Éric Desmons, *Mourir pour la patrie?* (Paris: Presses universitaires de France, 2001), p. 92.

107. *La Loire républicaine*, July 9, 1892.

108. *Le Petit journal*, April 2, 1920. Auguste Gènevois was executed in Paris on April 1, 1920.

109. It seems that these three convicts were members of the Paris Commune. *Le Petit journal*, January 24, 1873.

110. Albert Bataille, *Causes criminelles et mondaines de 1888* (Paris: E. Dentu, 1889), p. 232. Charles-Auguste Mathelin was executed in Paris on October 31, 1888.

111. Ibid., p. 377. Louis Linska de Castillon, also known as “Prado” was executed in Paris on December 28, 1888.

112. CARAN, BB²⁴ 2072 3. *Recours en grâce des condamnés à mort*, January–July 1894. Joachin Noray was executed in Pau on July 24, 1894.

113. *Lyon républicain*, January 29, 1894. Jean-Marie Busseuil, also known as “Samson” was executed in Lyon on January 29, 1894.

114. One later example is provided by Claude Aveline who, while compiling the “last words” of famous individuals, states (without giving a source) that Caserio’s last words before being executed in 1894 for the assassination of President Carnot were not “Long live anarchy!” (as was common for anarchists), but “I don’t want to!” (“A voeni nen!” in his Italian patois). Combined with an earlier description of Caserio trembling, these last words complete the picture of a cowardly criminal. See Claude Aveline, *Les mots de la fin*, op. cit., p. 283. Contemporary sources, however, tend to attribute to him the expression “Evviva l’anarchia!” (*L’Écho du Rhône*, August 16, 1894) or “Vive l’anarchie” (heard by one editor at *Le Progrès de Lyon*, August 16, 1894). Regardless, it is evident that

his final words carried significant weight.

115. *Le Petit journal*, March 22, 1892.

116. CARAN, BB²⁴ 2037. Recours en grâce des condamnés à mort, January 1870–December 1871. Letter from the prosecutor to the minister of justice, March 12, 1872. Gustave Brulé was executed the day before in Versailles.

117. *Le Petit journal*, April 26, 1875.

118. Jules Vallès, “Une nuit blanche” (1867), in *Œuvres*, vol. 1, op. cit., p. 930. He is writing about Charles-Félix Lemaire, executed on March 8, 1867.

119. *Le Petit journal*, August 5, 1872.

120. In the United States, some individuals on death row who have exhausted all means of recourse ask the state to put them to death; they are called “volunteers.” The state of Texas accepts these demands without difficulty, provided that the inmates state their decision not to appeal their conviction or to ask for any additional postponements before a judge. See Mumia Abu-Jamal, *Live from Death Row* (Reading, MA: Addison-Wesley, 1995), p. 123. The author nonetheless immediately puts the scope of this phenomenon into perspective, stating that only 1 percent of those on death row are volunteers, a majority of whom are white men.

121. Jacques Derrida, Seminar on the death penalty at the EHESS, session on January 21, 2001 (unpublished).

3. The Impossible Task of Designating Execution Sites

1. Pierre Bourdieu, “Le langage autorisé: Note sur les conditions sociales de l’efficacité du discours rituel,” *Actes de la recherche en sciences sociales*, no. 5–6 (November 1975). Avner Ben-Amos, *Funerals*, op. cit., p. 2.

2. Marc Augé, *Non-Places: Introduction to an Anthropology of Supermodernity* (London: Verso, 1995).

3. Yves Déloye and Olivier Ihl, “La civilité électorale: vote et forclusion de la violence en France,” in *La violence politique dans les démocraties européennes occidentales*, ed. Philippe Braud (Paris: L’Harmattan, 1993).
4. In Geneva, on the contrary, Rue Tabazan refers to a family of executioners from Savoy.
5. Louis Marin, “Une mise en signification de l’espace social: manifestation, cortège, défilé, procession,” *Sociologie du Sud-Est*, no. 37–38 (July–December 1983), p. 17.
6. Jean-Samuel Bordreuil, Sylvia Ostrowetsky, “Pour une réévaluation de la puissance sociale des dispositifs spatiaux,” *Espaces et sociétés*, no. 28–29 (March–June 1979).
7. Pascal Bastien, *Une histoire de la peine de mort: Bourreaux et supplices: Paris, Londres, 1500–1800* (Paris: Seuil, 2011), p. 59, n. 72.
8. Nevertheless, the ancien régime saw a number of “hidden” punishments that rejected exemplarity in favor of the culprit’s rehabilitation and the curative dimension of the penal system. See Leah Otis-Cour, “L’exemplarité de la peine en question,” art. cit.
9. See Jacqueline Lucienne Lafon, “Les règles nouvelles en matière criminelle” (New Rules in Criminal Matters), chapter 2, in *La Révolution française face au système judiciaire d’Ancien Régime* (Geneva: Droz, 2001), pp. 73–97.
10. Ludovic Pichon, *Code de la Guillotine: Recueil complet de Documents concernant l’application de la peine de mort en France et les Exécuteurs des HautesŒuvres* (Paris: LGDJ, 1910), p. 28.
11. According to Pascal Bastien, the scene of the crime began to lose its status as default execution site as early as the 1730s. Pascal Bastien, *L’exécution publique à Paris au XVIIIe siècle: Une histoire des rituels judiciaires* (Seyssel: Champ Vallon, 2006), p. 126.
12. *Ibid.*, p. 49.
13. A judgment handed down by the Court of Cassation (France’s Supreme Court of Appeals) on March 9, 1895, confirmed in 1913, stipulated that the

Courts of Assizes were not permitted to designate executions sites, as this role belonged to municipal authorities. See Loire departmental archives, 4 M 615. Exécutions capitales, 1899–1920. Letter from the subprefect of Montbrison to the Loire prefect, dated November 9, 1920, concerning the execution of Louis Deleuze, which took place that same day.

14. Gaston Griot and Henry Bourdeaux, *Code pénal et code de justice militaire*, op. cit., p. 17. The code dates this revision of jurisprudence to 1895, but this merely confirmed an earlier shift.

15. Pierre Zaccone, *Histoire des bagnes depuis leur création jusqu'à nos jours*, vol. 2 (Paris: Editions En Marge, 1998), facsimile of the 1868 edition, p. 430.

16. CARAN, BB¹⁸ 6101 21 BL. Prisons, 1875–1904: Exécutions capitales, 1870–1906. The memorandum was not dated in this source, but its date can be found in the follow-up memorandum from 1874.

17. APPO DB 142. Exécuteurs, supplices, guillotine.

18. Ibid.

19. Marseilles municipal archives, 3 I 83. Justice. Prisons. Exécutions capitales. 1872.

20. Grégoire Chelkoff and Jean-Paul Thibaud, "L'espace public, modes sensibles," *Les Annales de la recherche urbaine*, "Espaces publics en villes," no. 57–58 (December 1992–March 1993), p. 9.

21. The city council of the XIV^e arrondissement expressed these wishes on November 10, 1899. See the Bibliothèque historique de la Ville de Paris (Historical Library of the City of Paris) 157. Peine de mort, "Abolition. Droit de grâce. Coupures de presse. Documents." Official municipal gazette dated July 1, 1902, p. 2215.

22. Grégoire Chelkoff and Jean-Paul Thibaud, "L'espace public, modes sensibles," art. cit., p. 9.

23. Edward Sapir notes that symbolism of reference (where the symbolic object immediately yields its meaning) and symbolism of condensation (where the object is imbued with meaning and affectivity, and its understanding calls on the

unconscious) go hand in hand. Edward Sapir, *Anthropologie* (Paris: Editions du Seuil, 1988 [1934]), pp. 50–52.

24. Marc Augé, *Le Dieu objet* (Paris: Flammarion, 1988), p. 43.

25. CARAN, BB²⁴ 2071. Recours en grâce des condamnés à mort, January–July 1891. Eugène Meunier was executed on July 11, 1891.

26. *Le Petit journal*, July 5, 1892. Ravachol was indeed executed there, on July 11, 1892.

27. *Le Petit journal*, February 1, 1913. Joseph Renard was executed on this day.

28. The 1847 bylaw was mentioned in Versailles municipal archives, 3 I 752. *Exécutions capitales, 1912–1939. Procès Landru—Documentation*, 1921.

29. CARAN, BB²⁴ 2040 1. Recours en grâce des condamnés à mort, December 1873–January–August 1874.

30. Execution of Jean Chambe, September 10, 1879, in Saint-Just-Saint-Rambert.

31. CARAN, BB²⁴ 2065. Recours en grâce des condamnés à mort, December 1887 and January–July 1888. Paul Maitayer was executed there on March 31, 1888.

32. Referring to the execution of Auguste-Roland-Marcel Agnan, on August 10, 1926. *Le Petit journal*, August 11, 1926.

33. See *supra*, chapter 2.

34. Antoine François Claude, *Mémoires de Monsieur Claude*, op. cit., p. 283.

35. Léopold Laurens, Nicolas Roch: *Exécuteur des arrêts criminels du continent français* (Paris: Armand Léon-Arthur Lévy, 1873), p. 6.

36. Place du Marché aux Chevaux.

37. Place du Marché aux Bestiaux.

38. Place du Marché aux Porcs.

39. “Les exécutions capitales,” *Le Petit journal*, June 15, 1884.

40. Strappado was a medieval form of torture. The Rue de l’Estrapade received its name in 1881, but was previously known as the Rue des Fossés de l’Estrapade (the Strappado Ditches) and the Rue de la Vieille Estrapade (the Old Strappado).

41. Once found, the five paving stones were put back in the same place on October 20, 1871. See AP, D7N⁴ 5. La Grande Roquette Prison, or the “convict warehouse.”

42. The text of this ruling is reprinted in J. Cyprien Roumieu, *Plus d’échafauds! ou De l’abolition immédiate et absolue de la peine de mort* (Paris: Gustave Pissin et Delaunay, 1833), pp. 265–266.

43. Versailles municipal archives, 3 I 752. Exécutions capitales 1912–1939: Procès Landru—Documentation, 1921. Gabriel Montfort was executed on July 5, 1927, near the Saint-Pierre prison, and Marcel-Gaston Morice, on April 2, 1930, in the same place.

44. *Ibid.*

45. *Ibid.*

46. Gustave Véricel, *Exposition officielle de la guillotine sur la place Bellecour ou une page de l’histoire de Lyon* (Lyon: Librairie général Henri Georg, 1885).

47. Lyon municipal archives, 3 I 216. Notifications de jugements et condamnations: Exécutions capitales, 1797–1867.

48. This square disappeared after the Rue Carnot was laid. See the letter dated April 13, 1827, sent by the prosecutor to the mayor. *Ibid.*

49. Letter dated April 26, 1827, addressed to the mayor. *Ibid.*

50. A letter from the mayor dated August 7, 1847 attests that this location was still in use on that date. *Ibid.*

51. A letter from the prefect dated May 6, 1853, indicates that an upcoming execution would take place there. *Ibid.*

52. CARAN, BB²⁴ 2046 1. Recours en grâce des condamnés à mort, September–November 1877 and January–June 1878.

53. François Gornachon was similarly executed at the corner of the Cours Charlemagne and the Cours Bayard, south of the Place de l'hippodrome. Lyon républicain, October 12, 1883.

54. Le Nouvelliste, August 16, 1894.

55. As in 1887 in Carpentras, where the deputy mayor transferred the execution site from the Place du Palais to the more remote Place de l'Hôpital, "in order to satisfy public opinion," according to Le Petit méridional from January 12, 1887. Théophile Ginoux had been executed the day before.

56. Dominique Kalifa, "Les lieux du crime," art. cit., p. 23.

57. Simone Delattre, Les douze heures noires: La nuit à Paris au XIX^e siècle (Paris: Albin Michel, 2003 [2000]), p. 804. The author offers this hypothesis regarding the change in location that resulted in the guillotine being placed at the Barrière Saint-Jacques in 1832, in addition to the argument that the location had been "sanctified" by the insurgents of 1830, and thus that the blood of criminals could no longer defile it.

58. Charles Tilly, The Contentious French: Four Centuries of Popular Struggle (Cambridge, MA: Belknap Press of Harvard University Press, 1986), p. 45.

59. Ibid., pp. 68ff.

60. The dates given by Du Camp are a bit late (1799) and other sources instead identify 1794 as the date when Place de Grève became the official execution site, until 1832. See Jacques Delarue, Le métier de bourreau: Du Moyen-Âge à aujourd'hui (Paris: Fayard, 1979), p. 170.

61. Maxime Du Camp, Paris: Ses organes, ses fonctions, op. cit., pp. 331–332. One isolated reference to the Place Dauphine as an execution site in the eighteenth century was made by Louis-Sébastien Mercier, "Place de Grève," in Tableau de Paris, vol. 1, op. cit., p. 717.

62. Charles Tilly, The Contentious French, op. cit., p. 50. This does not explain why other locations were adopted.

63. As noted by Michel Péronnet, “Guillotine,” in *Les 50 mots clefs de la Révolution française* (Toulouse: Privat, 1983), p. 172. The entry under “Guillotine” in Jean Tulard, Jean-François Fayard, and Alfred Fierro, *Histoire et dictionnaire de la Révolution française, 1789–1799* (Paris: Robert Laffont, 1987), pp. 865–866, merely reproduces the original information provided by M. Péronnet, without adding anything else.
64. Jacques Delarue, *Le métier de bourreau*, op. cit., p. 162.
65. Ibid., pp. 167–169.
66. Laurence Guignard, “Les supplices publics au XIX^e siècle: L’abstraction du corps,” in *Le corps violenté. Du geste à la parole*, ed. Michel Porret (Geneva: Droz, 1998), pp. 167–168.
67. Michelle Perrot, *Les ombres de l’histoire*, op. cit., p. 19.
68. CARAN, BB²⁴ 2071. Recours en grâce des condamnés à mort, January–July 1891. Joseph Cléménçon was executed on February 28, 1891.
69. CARAN, BB²⁴ 2081. Recours en grâce des condamnés à mort, May–October and December 1898. Eugène Vinsonneaud was executed on July 22, 1898.
70. *Le Petit journal*, May 10, 1898.
71. According to the prosecutor’s report. CARAN, BB²⁴ 2080. Recours en grâce des condamnés à mort, February–May, July, and November 1898.
72. *Le Petit journal*, July 23, 1898.
73. CARAN, BB²⁴ 2081. Recours en grâce des condamnés à mort, May–October and December 1898.
74. *La Presse*, December 2, 1909. Henri Riboulet was executed on the December 1, 1909 in Montbrison.
75. AD de la Loire, 4 M 615. Exécutions capitales, 1899–1920. Letter from the subprefect to the prefect.
76. CARAN, BB²⁴ 2101. Recours en grâce des condamnés à mort, September

1879 and July–November 1909.

77. CARAN, BB¹⁸ 6103. Peine de mort (divers): Protestation de la Ligue des Droits de l'homme contre les conditions d'une exécution capitale à Montbrison (21 BL 57). Pressensé's letter was filed and dismissed, in particular because it should have been sent to the municipal government (which was in charge of selecting locations), and not the Ministry of Justice. The filing note addressed to the director of Criminal Affairs was also very hostile to the Human Rights League.

78. Isaac Joseph, "L'espace public comme lieu de l'action," *Les Annales de la recherche urbaine*, no. 57–58 (December 1992–March 1993), p. 215.

4. The Liturgical Crisis of Executionary Rituals

1. For an overview of the literature on rites and some of the theoretical limitations involved in researching rituals, see Nicolas Mariot, " 'Conquérir unanimement les cœurs': Usages politiques et scientifiques des rites: le cas du voyage présidentiel en province (1888–1998)" (PhD diss., EHESS, 1999), pp. 27–46.

2. Arlette Lebigre, " 'Pour l'exemple et la terreur du peuple,' " in *La justice du Roi: La vie judiciaire dans l'ancienne France* (Paris: Albin Michel, 1988), p. 133.

3. Order of the Ministry of the Interior, dated January 15, 1877. See Ludovic Pichon, *Code de la Guillotine*, op. cit., pp. 69–70.

4. *Le Petit journal*, January 11, 1909.

5. *La Croix*, January 13, 1909; also mentioned in *La Libre parole*, January 11, 1909, and January 16, 1909.

6. Gard departmental archives, 4 M 362. Interdiction de projections d'exécutions capitales, 1909. Circular telegram dated January 11, 1909.

7. Ibid.
8. During the Restoration, an establishment presenting variety shows meant a theater situated on the border of Paris; these were in direct competition with the “authorized” theaters. See Odile Krakovitch, “La mise en pièces des théâtres: la censure des spectacles au XIXe siècle,” in *Maintien de l’ordre et polices en France et en Europe au XIXe siècle*, ed. Philippe Vigier et al. (Paris: Créaphis, 1987).
9. La Croix, September 25 and September 26, 1910.
10. Versailles municipal archives, 3 I 752. Exécutions capitales 1912–1939: Procès Landru—Documentation, 1921.
11. Rhône departmental archives, 4 M 484. Représentation des agissements criminels et des exécutions capitales, 1912.
12. Ibid.
13. Gard departmental archives, 4 M 362. Interdiction de projections d’exécutions capitales, 1909.
14. Versailles municipal archives, 3 I 752. Exécutions capitales 1912–1939: Procès Landru—Documentation, 1921.
15. CAC, 20030041 art. 3. Registre des peines de mort 1923–1944.
16. Le Petit journal, June 18, 1939.
17. Norbert Elias, *La solitude des mourants* (Paris: Christian Bourgois, 2002 [1982]), p. 23.
18. Walter Benjamin, “L’œuvre d’art à l’ère de sa reproductibilité technique” (1936), in *Essais II, 1935–1940* (Paris: Denoël/Gonthier, 1983).
19. Ibid., p. 90.
20. Ibid., p. 92.
21. Jacques Rancière, *La nuit des prolétaires* (Paris: Fayard, 1997 [1981]), pp.

77–78.

22. There were 2,608 oil lampposts and 8,600 gas-powered ones in 1831. In 1852, there were 13,733 gas streetlights, and in 1890, 51,500. See Bernard Landau, “La fabrication des rues de Paris au XIXe siècle,” *Les Annales de la recherche urbaine*, no. 57–58 (December 1992–March 1993), pp. 36–37. By 1920, all of Paris was lit using electricity. See Thierry Paquot, “Le sentiment de la nuit urbaine aux XIXe et XXe siècles,” *Les Annales de la recherche urbaine*, no. 87 (September 2000), p. 8.

23. Simone Delattre, *Les douze heures noires*, op. cit., p. 34.

24. For example, Georges Grison mentions this with regard to the Parisian execution of Pierre-Désiré Moreau and Jean-Baptiste Boudas, on October 13, 1874. G. Grison, *Souvenirs de la place de la Roquette*, op. cit., p. 80.

25. Hippolyte Nazet, “La place de la Roquette,” *Le Figaro*, January 20, 1870.

26. *Le Cri du peuple*, June 29, 1885. Charles Marchandon was guillotined at the same time as Paul Gaspard, on August 10, 1885.

27. Thierry Paquot, “Le sentiment de la nuit urbaine aux XIXe et XXe siècles,” art. cit., p. 12.

28. T. Sabatier, *Des exécutions capitales à Aix*, op. cit., p. 5.

29. Maxime Du Camp, “La place de la Roquette: Le quartier des condamnés à mort et l’échafaud,” *Revue des deux mondes*, vol. 85 (January 1870), pp. 182ff.

30. Abbé Georges Moreau, *Souvenirs de la petite et de la grande Roquette* (Paris: Henri Vivien, 1888), p. 31.

31. Victor Hugo, “Préface de 1832” to *Dernier jour d’un condamné*, op. cit.

32. This is the case, for example, in Cécile Robert, “Le débat sur la publicité des exécutions capitales au tournant du siècle en France” (thesis Grenoble Institute of Political Studies, 1993–1994), pp. 8–10; and in Laurence Guignard, “Les supplices publics au XIXe siècle,” art. cit.

33. Joseph Reinach, “Rapports, proposition de loi et discours sur la suppression

de la publicité des exécutions capitales,” in *Mes comptes rendus: Discours, propositions, rapports*, vol. 2 (1894–1908) (Paris: Prieur et Cie, 1914), p. 11. Though no source was cited, this date was also given by Marine M’Sili in “Une mise en scène de la violence légitime: les exécutions capitales dans la presse (1870–1939),” in *L’exécution capitale: Une mort donnée en spectacle. XVIe–XXe siècle*, ed. Régis Bertrand and Anne Carol (Aix-en-Provence: Publications de l’Université de Provence, 2003), p. 175.

34. Louis Canler attended this execution on January 10, 1836. See L. Canler, *Mémoires de Canler, ancien chef de la Sûreté*, 4th ed. (Paris: J. Hetzel, 1862), p. 113.

35. Simone Delattre, *Les douze heures noires*, op. cit., pp. 805–807.

36. CAC, 20030041 art. 3. *Registre des peines de mort 1923–1944*.

37. Figures 2 and 3 merely attempt to illustrate a trend—establishing exact schedules would be significantly more difficult. On the one hand, we have to note that the calendars used were generally calculated in solar time. On the other hand, daylight savings time was introduced in 1916, but its length varied depending on the year. Daylight saving time generally began in March or April, until the beginning of October (for more details, see http://www.louisg.net/E_heure_ete.htm). Let us recall that in the fall and winter, in Paris the sun generally rises between 6:52 a.m. (on March 21) and 8:44 a.m. (in December), and during the spring and summer between 5:46 a.m. (June) and 7:34 a.m. (on September 21). See <http://www.ephemeride.com/calendrier/solaire/19/horaires-du-soleil.html>. After 1916, our sources often differed, some using the mean time and some the legal standard time. In such cases, we maintained the legal standard time, as this made more sense with the historical accounts of contemporary authors. The two scatter plots in figures 1 and 2 should be interpreted side-by-side in order to understand the growing trend of nighttime executions.

38. CARAN, BB²⁴ 2058. *Recours en grâce des condamnés à mort*, July–December 1884. The 1876 execution mentioned was that of Charles-Louis Yden. Angelicus was executed on December 9, 1884.

39. *Le Petit journal*, December 19, 1889. The convict was executed on the December 16, in Amiens.

40. CARAN, BB²⁴ 2068. Recours en grâce des condamnés à mort, July–December 1889.
41. CARAN, BB²⁴ 2046 2. Recours en grâce des condamnés à mort, July–December 1878. Aimé Mautin was executed on December 18, 1878.
42. APPO, BA 82. Michel Campi and Prado. Campi was executed on April 30, 1884.
43. CARAN, BB²⁴ 2068. Recours en grâce des condamnés à mort, July–December 1889. Jardry-Lavoix was executed on December 21, 1889 in Périgeux.
44. CARAN, BB²⁴ 2105. Recours en grâce des condamnés à mort, June 1907 and January–July 1911. Henri-Adrien Deviot was executed on July 21, 1911 in Vitry-le-François.
45. The time was given by Le Petit journal, July 22, 1911.
46. CARAN, BB²⁴ 2113. Recours en grâce des condamnés à mort, June 1907, February 1891, June 1893, July 1901, 1913, and January–May 1914. Fabre was executed on July 11, 1914.
47. Le Petit journal, May 16, 1913. Auguste Lhomme was executed on May 15, 1913 in Béthune.
48. Paris-Soir, June 18, 1939.
49. Les Nouvelles de Versailles, June 20, 1939.
50. L’Intransigeant, June 18, 1939; and Le Petit Parisien, June 17, 1939. This example of fluctuating standardization for time slots is not unique, and led to one-hour shifts in execution times, according to some sources. In particular, it seems that in his notebooks, the executioner Anatole Deibler mentioned a time slot that was one hour earlier than the time reported by the newspapers. Bias is thus entirely possible when comparing schedules.
51. Le Matin, June 18, 1939.
52. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 22.

53. Pieter Spierenburg, *The Spectacle of Suffering*, op. cit., p. 183.
54. *Le Petit journal*, February 21, 1872. Regarding the triple execution in Chartres on February 19 of Louis Guénard, Eugène Quillou, and François Proust.
55. Xavier Lapray, “L’exécution publique de la peine capitale à Paris entre 1870 et 1914” (Master’s thesis), op. cit., p. 14.
56. CARAN, BB²⁴ 2043. Recours en grâce des condamnés à mort, October–December 1875, January–December 1876, and March 1877.
57. Pierre Legendre, *Leçons VIII: Le Crime du caporal Lortie: Traité sur le père* (Paris: Flammarion, 2000 [1989]), p. 41. Eric Seizelet, “Le parricide et le principe démocratique au Japon,” in *Autour du parricide*, ed. Pierre Legendre, *Travaux du Laboratoire européen pour l’étude de la filiation*, vol. 1 (Brussels: Yves Gevaert, 1995).
58. Sylvie Lapalus, “La mort du vieux”: Une histoire du parricide au XIX^e siècle (Paris: Tallandier, 2004), p. 14.
59. More details, in particular concerning the “*poena cullei*,” in which the convicted criminal was placed alive in a bag with a dog, a rooster, a viper, and a monkey, before being tossed into the sea, can be found in Marie-Laure Le Bail, “Images de la mort physique et rituelle: le châtement du parricide,” in *Le corps humain: nature, culture, surnaturel*, *Actes du 110^e Congrès national des sociétés savantes, Montpellier 1985* (Paris: Comité des travaux historiques et scientifiques, 1985); and Eva Cantarella, *Les peines de mort en Grèce et à Rome*, op. cit.
60. Fernand Nicolaÿ, *Histoire sanglante de l’humanité: La peine de mort* (Paris: Pierre Téqui, 1909), pp. 116–117. Arlette Farge, *La vie fragile*, op. cit., p. 231.
61. Michel Foucault, *Surveiller et punir*, op. cit., p. 9.
62. Hippolyte Laurent, *Les châtements corporels* (Lyon: Librairie Phily, 1912), p. 211; and Fernand Nicolaÿ, *Histoire sanglante de l’humanité*, op. cit., p. 117.
63. Ludovic Pichon, *Code de la Guillotine*, op. cit., p. 48.

64. Louis Gruel, *Pardons et châtements: Les jurés français face aux violences criminelles* (Paris: Nathan, 1991), p. 72.

65. Sylvie Lapalus, “La mort du vieux,” *op. cit.*, p. 91.

66. *Ibid.*, p. 522.

67. For these dates, Sylvie Lapalus finds 42 pardons granted for 72 requests for clemency. Between 1825 and 1913, 771 parricides were tried in a Court of Assizes (not including assault and battery with regard to parents, grandparents, or other ascendants). *Ibid.*, pp. 328 and 22.

68. *Le Petit journal*, January 26, 1887; Pierre Bouchardon, *La dernière guillotine* (Paris: Editions de la nouvelle revue critique, 1935), p. 32. The Thomas couple was guillotined in Romorantin on January 24, 1887.

69. *La Gironde*, August 3, 1875.

70. *Ibid.*

71. CARAN, BB²⁴ 2103. *Recours en grâce des condamnés à mort*, 1904 and May–September 1910; Sylvie Lapalus, “La mort du vieux,” *op. cit.*, p. 332.

72. *Ibid.* The absence of special attire was mentioned in *Le Petit journal* (September 25, 1910), but not in *La Croix* (September 25 and 26, 1910), or in *La Libre parole* (September 25, 1910).

73. This can be seen in the increasing number of pardons granted. See Sylvie Lapalus, “La mort du vieux,” *op. cit.*, pp. 328–329.

74. Louis Gruel, *Pardons et châtements*, *op. cit.*, pp. 72–73.

75. Anonymous, “Des exécutions capitales et de leur publicité,” *Journal de droit criminel*, vol. 50 année (1879), p. 103.

76. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.”

77. This was the argument of the Angers Court of Appeals. *Ibid.*

78. This was the argument of the Paris Court of Appeals. *Ibid.*

79. Ibid.

80. Unless otherwise mentioned, the biographical and political information concerning parliamentarians comes from Adolphe Robert and Gaston Cougny, *Dictionnaire des parlementaires français* (Paris: Bourloton éditeur, 1889–1891), 5 vols; and René Samuel and Géo Bonét-Maurey, *Les parlementaires français. II, 1900–1914: Dictionnaire biographique et bibliographique des sénateurs, députés, ministres* (Paris: Georges Roustan, 1914).

81. Franck Imberdis, Agénor Bardoux: Sa vie—son œuvre (Clermont-Ferrand: Imprimerie générale, 1925); Bernard Lavergne, *Les deux présidences de Jules Grévy, 1879–1887: Mémoires de Bernard Lavergne* (Paris: Librairie Fischbacher, 1966).

82. *Journal officiel: Débats parlementaires: Assemblée nationale*, May 1894, p. 757.

83. Studied by Alain Corbin in *Le village des “cannibales”* (Paris: Flammarion, 1995 [1990]).

84. *Journal officiel*, op. cit., p. 819.

85. Ibid., sessions on May 10, 11, and 19, 1894.

86. Ivan Turgenev, *L’exécution de Troppmann*, op. cit., p. 17.

87. L. Rey, *Etude sur la peine de mort* (Paris: Ch. Meyrueis, 1871), p. 6.

88. Anonymous, “Les réformes de la loi criminelle: Les exécutions capitales et les crimes commis dans l’intérieur des prisons,” *Le Droit*, vol. 43, no. 97, April 24, 1879, p. 397.

89. Joseph Denais, “Le scandale de la mort,” *L’observateur français*, August 26, 1887.

90. “Exécutions publiques,” *Le Cri du peuple*, December 26, 1889.

91. “La publicité des exécutions capitales,” *La Croix*, February 6, 1894.

92. Le Moine, “Exécutions,” *La Croix*, May 22, 1894.

93. Felix Duquesnel, "La peine de mort et les exécutions capitales," *Le Petit journal*, July 11, 1898.
94. Alexandre Bérard, "La publicité des exécutions capitales," *Archives de l'anthropologie criminelle* (1894), p. 126.
95. Thomas Grimm (collective pseudonym), "Les exécutions capitales," *Le Petit journal*, November 13, 1901.
96. APPO DB 142. Exécuteurs, supplices, guillotine: Rapport de M. E. de Mentque, sénateur, sur une pétition de M. Charles Lucas relative à la publicité des exécutions capitales (Paris: Typography by Ch. Lahure, Senate printer, 1870), pp. 6–7. Session on December 28, 1869.
97. APPO DB 141. Législation sur la peine de mort et droit de grâce: Proposition de Loi concernant l'abolition de la peine de mort. Legislative body, appendix to minutes for the session on January 24, 1870.
98. *Le Droit*, June 20 and 21, 1870.
99. APPO DB 141. Législation sur la peine de mort et droit de grâce: Proposition de Loi relative à l'abolition de la peine de mort. Chamber of Deputies, first Parliament, 1876 extraordinary session, appendix to the minutes for the session on November 24, 1876.
100. APPO DB 142. Exécuteurs, supplices, guillotine. Chamber of Deputies, appendix to the minutes from March 20, 1879.
101. APPO DB 142. Exécuteurs, supplices, guillotine. Chamber of Deputies, appendix to the minutes from January 15, 1894.
102. *Ibid.*
103. *Ibid.*, Senate, appendix to the minutes from November 15, 1898.
104. *Ibid.*, Chamber of Deputies, appendix to the minutes from December 22, 1898.
105. APPO DB 141. Législation sur la peine de mort et droit de grâce: Rapport de Jean Cruppi au nom de la Commission de la réforme judiciaire chargée

d'examiner le projet de loi et les propositions de loi relatives à la peine de mort, Chamber of Deputies, 1907 extraordinary session, appendix to the minutes from the session on October 22, 1907.

106. Thomas Grimm (collective pseudonym), "L'échafaud est-il moralisateur?" Le Petit journal, January 18, 1899. The article appeared on the front page.

107. Alexandre Lacassagne, *Peine de mort et criminalité*, op. cit., p. 177.

108. Ibid., p. 179.

109. Jean Lecoq, "Les exécutions à huis clos," Le Petit journal, January 12, 1909.

110. La Croix, January 15, 1909.

111. Le Petit journal, December 28, 1931.

112. L'Eclair, October 30, 1938.

113. Lyon républicain, September 9, 1927.

114. Lyon républicain, October 1, 1927.

115. Lyon républicain, September 29, 1927.

116. Lyon républicain, September 7, 1927.

117. Lyon républicain, September 11, 1927.

118. CARAN, BB²⁴ 2071. Recours en grâce des condamnés à mort, January–July 1891.

119. Le Rappel, December 10, 1884.

120. Georges Clemenceau, "L'échafaud," in *La mêlée sociale* (Paris: G. Charpentier et E. Fasquelle, 1895), p. 407.

121. La Presse, June 8, 1906.

122. Barry Vaughan, "The Influence of Norbert Elias upon Criminology,"

Figurations: Newsletter of the Norbert Elias Foundation 15 (July 2001), p. 5.

123. Zygmunt Bauman, *Modernité et holocauste* (Paris: La fabrique éditions, 2002 [1989]), p. 186.

124. It seems that C. Roumieu was a lawyer from Marseilles. In 1834 he was mentioned as a correspondent for the *Revue étrangère de législation et d'économie politique*. The same journal also included the German lawyer Mittermaier among its collaborators, likely the author of *De la peine de mort d'après les travaux législatifs et les résultats de l'expérience* (Paris: Marescq Aîné, 1865). See <http://books.google.fr/books?id=xegDAAAAQAAJ>.

125. J. Cyprien Roumieu, *Plus d'échafauds!* op. cit., pp. 48–49.

126. Ibid., p. 58.

127. Adolphe Crémieux, “De l'exécution des sentences capitales,” *Le Droit*, vol. 34, no. 146, June 20 and 21, 1870, p. 599.

128. *Le Droit*, June 20 and 21, 1870.

129. Achille Morin, “Législation criminelle—Discussions législatives: Lois votées,” *Journal de droit criminel*, vol. 42 (1870), p. 260.

130. *Le Toulonnais*, June 28, 1870.

131. APPO DB 142. Exécuteurs, supplices, guillotine. Chamber of Deputies, appendix to the minutes from March 20, 1879.

132. Anonymous, “Des exécutions capitales et de leur publicité,” art. cit., p. 103.

133. Anonymous, “Les réformes de la loi criminelle,” art. cit., p. 397.

134. Pierre-Jean-Georges Cabanis, *Note sur le supplice de la guillotine* (Périgueux: Fanlac, 2002 [year IV]), p. 18.

135. Achille Morin, “Revue de législation: Innovations diverses,” *Journal de droit criminel*, vol. 42 (1870), p. 137.

136. Anonymous, “Des exécutions capitales et de leur publicité,” art. cit., p. 103.

137. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.”
138. Ibid., for the quotations that precede.
139. Journal officiel: Débats parlementaires. Assemblée nationale, May 1894, p. 757.
140. La République du Midi, July 23, 1892.
141. Albert Wolff, “Exécution de Troppmann,” Le Figaro, January 21, 1870.
142. Le Nouvelliste de Bordeaux, July 4, 1882.
143. Le Petit journal, April 3, 1928. During the double execution of Julien Pachowski and Wladimir Zinzuk (or Zinezuk), on April 3, 1928 in Paris.
144. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.”
145. Le Petit journal, January 16, 1885.
146. CARAN, BB¹⁸ 6101 21 BL. Prisons, 1875–1904: Exécutions capitales, 1870–1906; and M. Delquié, Rapport sur la proposition de loi relative à la publicité des exécutions capitales, op. cit., p. 18.
147. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.”
148. Louis-Sébastien Mercier, “Petite taille,” in Tableau de Paris, vol. 2 (Paris: Mercure de France, 1994 [1781–1789]), p. 1119.
149. Adolphe Crémieux, “De l’exécution des sentences capitales,” art. cit., p. 599.
150. Anonymous, “Des exécutions capitales et de leur publicité,” art. cit., pp. 101–102.
151. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.” Also for the next two citations.
152. René Quérenet, “Les exécutions capitales et leur publicité: Deuxième partie,” Bulletin de la Société générale des prisons, vol. 10, 1886, p. 1010.

153. Édouard Drumont, “La publicité des exécutions capitales,” *La Libre parole*, January 20, 1909.

154. Jean Belin, *Trente ans de Sûreté nationale* (Paris: Bibliothèque France-Soir, 1950), p. 123.

155. *Le Droit*, June 20 and 21, 1870.

156. APPO DB 142. Exécuteurs, supplices, guillotine. Chamber of Deputies, appendix to the minutes from March 20, 1879.

157. Agénor Bardoux, “Proposition de loi,” art. cit., p. 629.

158. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885.” Also for the next two citations.

159. APPO DB 141. Législation sur la peine de mort et droit de grâce: Rapport de Jean Cruppi au nom de la Commission de la réforme judiciaire chargée d’examiner le projet de loi et les propositions de loi relatifs à la peine de mort, Chamber of Deputies, 1907 extraordinary session, appendix to the minutes from October 22, 1907.

160. Elias Canetti, *Masse et puissance* (Paris: Gallimard, 1998 [1960]), p. 52.

161. Adolphe Crémieux, “De l’exécution des sentences capitales,” art. cit., p. 599.

162. CARAN, BB¹⁸ 6102. “Proposition de loi Bardoux 1884–1885,” Senate, appendix to the minutes from November 22, 1884.

163. *Ibid.*

164. *Ibid.*, Senate, appendix to the minutes from November 22, 1884.

165. *Ibid.*, Senate, appendix to the minutes from May 7, 1885.

166. Adolphe Crémieux, “De l’exécution des sentences capitales,” art. cit., p. 599.

167. Alain Corbin, *Les cloches de la terre: Paysage sonore et culture sensible*

dans les campagnes au XIXe siècle (Paris: Albin Michel, 1994), p. 256.

168. Ibid., p. 193.

169. See two articles in *Le Temps* that were very skeptical with regard to the English scenario, reproduced in the *Bulletin de la Société générale des prisons*, vol. 11, 1887, pp. 843–848.

5. Watching Executions

1. Anne Sauvageot, *Voires et savoirs: Esquisse d'une sociologie du regard* (Paris: Presses universitaires de France, 1994), p. 146.

2. Alain Corbin, “‘Le vertige des foisonnements’: Esquisse panoramique d’une histoire sans nom,” *Revue d’histoire moderne et contemporaine*, vol. 39, no. 39 (January–March 1992), p. 122.

3. Among the numerous critiques and analyses of *Obedience to Authority* by Stanley Milgram (1974), we highlight the observations of Valérie Marange, who argues that the growing closeness between medicine and violence (which she views as a form of the banality of evil) was internalized so fully that the students who submitted to Milgram’s test did not find it strange that a “medico-pedagogical experiment” would resort to dispensing electrical shocks. V. Marange, “La violence ‘propre,’ épreuve pour la sensibilité,” *Chimères*, no. 12 (Summer 1991), p. 40. Daniel Jonah Goldhagen rejected the idea of blind obedience to orders, pointing out that 70 percent of the subjects ended up refusing to administer electrical shocks at some point. D. J. Goldhagen, *Hitler’s Willing Executioners: Ordinary Germans and the Holocaust* (New York: Knopf, 1997), pp. 383, 592, note 19.

4. This gave rise to a strikingly well-documented microhistory on the endogamous genealogy of executioners. For example, see Jacques Delarue, *Le métier de bourreau*, op. cit.

5. See Emmanuel Taïeb, “Portraits du bourreau,” *Labyrinthe*, no. 11 (Winter 2002), pp. 51–66.

6. *Le Rappel*, June 29, 1885.
7. Daniel Arasse, *La guillotine et l'imaginaire de la Terreur* (Paris: Flammarion, 1987), p. 149.
8. Calvados, Corsica, Eure, Ille-et-Vilaine, Manche, Nord, Orne, Pas-de-Calais, Rhône, Seine-et-Oise.
9. Ludovic Pichon, *Code de la Guillotine*, op. cit., pp. 54 and 60.
10. "Sir of Paris" was the common name, and an ironical nobility title, of the executioner of the city of Paris.
11. As a letter from the Directorate of Criminal Affairs and Pardons reminds us. See Calvados D. A., 2 U 3 / 840. Assizes court documentation for Charles Mancel [1872].
12. Jacques Delarue, *Le métier de bourreau*, op. cit., p. 34; Gilbert J. Callandraud, *De l'exécution capitale à travers les civilisations et les âges* (Paris: J. C. Lattès, 1978), p. 185. Executioners used to have the right to bear arms. Apparently, executioners in metropolitan France did not carry weapons, but Fernand Meyssonier, the last executioner in French Algeria, discusses how he enjoyed this privilege. F. Meyssonier, *Paroles de bourreau: Témoignage unique d'un Exécuteur des Arrêts criminels* (Paris: Imago, 2002), p. 39.
13. Personal archives of the executioner Anatole Deibler; see also Jacques Delarue, *Le métier de bourreau*, op. cit., pp. 307–308.
14. Jacques Ozouf and Mona Ozouf, with Véronique Aubert and Claire Steindecker, *La République des instituteurs* (Paris: Gallimard-Le Seuil, 1992), pp. 299–300. In 1898 a kilo of bread cost 0.40 francs.
15. Bernard Landau, "La fabrication des rues de Paris au XIX^e siècle," *Les Annales de la recherche urbaine*, no. 57–58 (December 1992–March 1993), p. 38.
16. Joseph de Maistre, "Soirées de Saint-Pétersbourg: Premier entretien," in *Œuvres complètes II* (Hildesheim: Goerg Olms Verlag, 1984 [1821]), facsimile from 1884, p. 32.

17. Roger Caillois, “Sociologie du bourreau,” in *Instincts et société: Essais de sociologie contemporaine* (Paris: Denoël-Gonthier, 1976 [1939–1950]), p. 24.

18. Louis Deibler’s address, at 3 rue Vicq d’Azir in Paris (tenth arrondissement) was revealed by journalist Georges Grison, in *Souvenirs de la place de la Roquette*, op. cit., p. 242; *Le Cri du peuple* also published it on August 27, 1887, for Henri Pranzini’s execution. Anatole Deibler lived with his father at 39 Rue de Billancourt in Paris’s sixteenth arrondissement (on what would later become Rue Claude-Terrasse). In 1904, he moved close by to 12 Villa Dufresne, and then again in 1909 to a building that he had built at 133 bis Avenue de Versailles (where he remained until 1929). The Desfourneaux family, the executioner’s assistant, also moved into a building constructed by Deibler, at 54 Rue de la Convention. See Gérard A. Jaeger, *Anatole Deibler (1863–1939): L’homme qui trancha 400 têtes* (Paris: Kiron-Editions du Félin, 2001), *passim*.

19. In particular through the use of ciphered telegrams (see chapter 1 in this volume). CARAN, BB²⁴ 2065. *Recours en grâce des condamnés à mort*, December 1887 and January–July 1888.

20. *Le Petit journal*, August 31, 1888.

21. APPO BA 1662. “Deibler père et fils,” note from May 10, 1892.

22. *Ibid.* One last source maintains that the plan to kidnap Deibler was a hoax created by an editor at *L’Écho de Paris* who needed money.

23. *Le Petit journal*, February 6, 1894; and *La Croix*, February 6, 1894.

24. Rhône D. A., 4 M 314. Caserio file, 1894, note from the central commissioner, dated August 16, 1892, the day of the execution.

25. *Le Petit journal*, November 11, 1892.

26. *Le Petit journal*, October 10, 1887.

27. Montpellier city archives, I 5/4. Martini execution, 1892, letter dated July 22, 1892.

28. *Le Petit journal*, February 13, 1898.

29. *Le Petit journal*, June 22, 1935.
30. Norbert Elias, *On the Process of Civilization*, in Stephen Mennell et al., op. cit., p. 174.
31. Pierre-Simon Ballanche, *La ville des expiations et autres textes*, op. cit., p. 40.
32. J. Cyprien Roumieu, *Plus d'échafauds!* op. cit., p. 48.
33. Ibid., p. 69.
34. Jean-Marie-Lazare Caubet, *Souvenirs (1860–1889)* (Paris: Librairie Léopold Cerf, 1893), p. 258.
35. Léopold Laurens, Nicolas Roch, op. cit., p. 27.
36. Pierre Zaccone, "Un bourreau," *Le Petit journal*, June 28, 1878 (first shipment).
37. Antoine Prost, "Les limites de la brutalisation," art. cit.
38. Gérard A. Jaeger, Anatole Deibler, *l'homme qui trancha 400 têtes*, op cit., and *Carnets d'exécution*, 1885–1939.
39. Pieter Spierenburg, *The Spectacle of Suffering*, op. cit., pp. 28 and 29.
40. Michael Houseman, "Quelques configurations relationnelles de la douleur," in *De la violence II*, ed. Françoise Héritier (Paris: Odile Jacob, 1999), p. 100.
41. Katherine Fischer Taylor, *In the Theater of Criminal Justice: The Palais de Justice in Second Empire Paris* (Princeton, NJ: Princeton University Press, 1993), p. 55.
42. *Le Petit journal*, June 26, 1898; and *Le Petit Provençal*, May 17, 1930.
43. *Le Petit méridional*, April 10, 1934.
44. Louis-Sébastien Mercier, "Le bourreau," in *Tableau de Paris*, vol. 1, op. cit., p. 713.

45. *Le Progrès de Lyon*, February 10, 1900.
46. Jules Vallès, “Une nuit blanche” (1867), in *Œuvres I*, op. cit., p. 931.
47. Léo Lespès, “Monsieur de Paris: Études de mœurs inconnues,” *Le Figaro*, no. 287, November 15, 1857.
48. Georges Claretie, “Les gages de Monsieur de Paris,” *Le Figaro*, April 15, 1921.
49. “L’Exécution de Deibler: Une visite au bourreau,” *Le Matin*, July 29, 1906. The “execution” mentioned here refers to the Parliament’s attempt to eliminate the executioner’s wages.
50. Édouard Drumont, “La fin du bourreau,” *La Libre parole*, August 1, 1906.
51. *Le Moniteur Universel*, January 20, 1870.
52. Georges Grison, *Souvenirs de la place de la Roquette*, op. cit., p. 14.
53. *La Jeune République*, February 23, 1878. This newspaper would ultimately become *Le Petit Provençal*.
54. *Le Petit Versaillais*, October 7, 1883.
55. *L’Intransigeant*, December 26, 1888.
56. *Le Petit journal*, February 5, 1891.
57. *La Dépêche de Brest*, November 26, 1898.
58. *Le Journal*, September 9, 1904.
59. “L’Exécution de Deibler: Une visite au bourreau,” *Le Matin*, July 29, 1906.
60. Adolphe Brisson, “La guillotine,” *Les Annales politiques et littéraires*, vol. 24, no. 1208, August 19, 1906.
61. *Le Petit journal*, June 22, 1935.
62. Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil*

(London: Penguin Books, 1963); and Zygmunt Bauman, *Modernity and the Holocaust* (Ithaca, NY: Cornell University Press, 2000), p. 17.

63. *Le Petit journal*, February 5, 1891.

64. Georges Grison, *Souvenirs de la place de la Roquette*, op. cit., p. 248.

65. *Le Nouvelliste de Bordeaux*, July 28, 1885; and *La Gironde*, July 28, 1885.

66. “Bourreaucratie,” *Voltaire*, September 3, 1887.

67. Dr. Guillotin, “Besogne bien faite,” and *Le Petit national*, March 28, 1887.

68. “Bourreaucratie,” *Voltaire*, September 3, 1887.

69. *L’Intransigeant*, December 26, 1888.

70. “La tête du bourreau,” *L’Écho de Paris*, September 8, 1888.

71. *La Gironde*, October 21, 1891.

72. *La République du Midi*, July 23, 1892.

73. Georges Clemenceau, “La guillotine,” art. cit., p. 411.

74. CARAN, BB¹⁸ 6585 71 BL. Exécuteurs des hautesœuvres.

75. *Le Petit méridional*, July 24, 1892.

76. *La Jeune République*, August 18, 1877.

77. Georges Grison, *Souvenirs de la place de la Roquette*, op. cit., p. 316. Pierre Lantz was executed on April 1, 1882. According to one Deibler biographer, if Louis seemed nervous that day, it was because this was the first time he had asked his son to accompany him. See François Foucart, *Anatole Deibler: Profession bourreau, 1863–1939* (Paris: Plon, 1992), p. 40.

78. *La Gironde*, July 28, 1885.

79. *Le Cri du peuple*, April 10, 1886.

80. La République du Midi, July 23, 1892.
81. Le Petit méridional, July 243, 1892.
82. Gérard A.Jaeger, Anatole Deibler, op. cit., p. 111.
83. Le Figaro, January 21, 1870.
84. “L’Exécution de Deibler: Une visite au bourreau,” Le Matin, July 29, 1906.
85. Richard Valmond, “Chez M. Deibler,” L’Éclair, May 30, 1907.
86. “Treize aubes, treize têtes,” Détective, January 1, 1931.
87. Le Petit Provençal, April 12, 1934. Although the reporter emphasizes the exceptional interview he conducted with Deibler, it is impossible to verify whether the statements attributed to Deibler were true.
88. “Un mois chez M. de Paris Anatole Deibler exécuter des hautes œuvres,” Paris-Soir, April 17, 1935. The second part of the article was published the following day.
89. Le Progrès de Lyon, February 10, 1900.
90. Le Petit journal, February 9, 1939.
91. Le Figaro, August 20, 1891. This clinical description of the apparatus was presented by the newspaper as an excerpt from the memoir Louis Deibler had sent to the colonies to provide instructions regarding the correct usage of their newly built guillotines. The same issue also contains an article describing a meeting between Deibler and the journalist Hugues Le Roux (sometimes also spelled Leroux), “La ‘Veuve.’ ”
92. Pierre Legendre, “L’impardonnable,” interview with Pierre Legendre, Autrement, “Le pardon. Briser la dette et l’oubli,” no. 4 (April 1991), p. 15.
93. Fernand Meyssonier, Paroles de bourreau, op. cit., p. 22.
94. Ibid., pp. 224 and 234.
95. Eugène Enriquez, De la horde à l’État: Essai de psychanalyse du lien social

(Paris: Gallimard, 2000 [1983], p. 377, note 2.

96. Antoine Prost, “Les limites de la brutalisation,” art cit., pp. 16–17.

97. Nicolas Mariot, “Faut-il être motivé pour tuer?” art. cit., pp. 175–176.

98. Herbert C. Kelman, “Violence without Moral Restraint: Reflections on the Dehumanization of Victims and Victimizers,” *Journal of Social Issues*, vol. 29, no. 4 (1973); Françoise Sironi, *Bourreaux et victimes: Psychologie de la torture* (Paris: Odile Jacob, 1999); and Jacques Sémelin, *Purify and Destroy: The Political Uses of Massacre and Genocide* (New York: Columbia University Press, 2009 [2005]). For an analysis in which ideology does not play a central role, see Eugène Enriquez, “Tuer sans culpabilité: Quelques réflexions sur les meurtres collectifs,” *L’inactuel*, no. 2 (Spring 1999).

99. Nicolas Mariot, “Faut-il être motivé pour tuer?” art. cit., p. 176.

100. Valentin Pelosse, “Imaginaire social et protection de l’animal: Des amis des bêtes de l’an X au législateur de 1850 (Ire partie),” *L’Homme*, vol. 21, no. 4 (October–December 1981), p. 8.

101. Michel Vernes, “La ville purifiée ou la mort conjurée?” *Traverses*, no. 1 (September 1975), pp. 62–63.

102. Norbert Elias, *The Civilizing Process*, op. cit.

103. Stephen Mennell, *Français et Anglais à table du moyenâge nos jours* (Paris: Flammarion, 1987), p. 29.

104. Alain Corbin, *Le village des “cannibales,”* op. cit., p. 121.

105. *La Gazette du Midi*, March 22, 1857.

106. Concepción Palacios Bernal, “Le bourreau, victime de la haine? Pour une analyse de cette figure dans quelques textes du XIXe siècle,” *Estudios de lengua y literatura francesas*, no. 10–11 (1996–1997), p. 101, note 19.

107. For these two criminals, see APPO BA 82. Michel Campi and Prado.

108. The press was likewise increasingly disinterested, see M’Sili (Marine), *Le*

fait divers en République: Histoire sociale de 1870 à nos jours (Paris: CNRS Éditions, 2000), p. 94. In English, the end of public executions in 1868 meant that crowds no longer gathered, since spectators knew that everything would be concealed. See John Pratt, *Punishment & Civilization*, op. cit., p. 125.

109. *La Liberté*, May 12, 1885.

110. Albert Wolff, “Exécution de Troppmann,” *Le Figaro*, January 21, 1870.

111. *Le Petit journal*, August 2, 1922. Mecislas Charrier was executed in Paris the same day.

112. François Giraud, “Norbert Elias ou le barbare refoulé,” *Esprit*, vol. 12, no. 167 (December 1990), p. 123.

113. *Lyon républicain*, October 12, 1883. He recounts the execution of François Gornachon (convicted of parricide) in Lyon on this date.

114. *Le Rappel*, cited in *La Croix*, January 13, 1909. The Pollet brothers and their two accomplices were executed on January 11, 1909 in Béthune.

115. *L’Éclair*, July 2, 1902.

116. *L’Éclair*, August 2, 1902.

117. Georges Montorgueil, “La guillotine expropriée,” *L’Éclair*, June 19, 1898.

118. *Ibid.*

119. *Ibid.*

120. *L’Éclair*, July 30, 1901.

121. *L’Éclair*, cited in *La Croix*, January 13, 1909.

122. Jules Simon, *La peine de mort: Récit* (Paris: Librairie internationale—A. Lacroix, Verboeckhoven et Cie, 1869), p. 45.

123. *Le Petit Marseillais*, April 10, 1934.

124. *La Presse*, June 10, 1906.

125. Bruno Bettelheim, *Survivre* (Paris: Robert Laffont, 1979 [1952]), p. 234.
126. Norbert Elias, *The Loneliness of the Dying*, op. cit., p. 2.
127. Norbert Elias, *The Civilizing Process*, op. cit., p. 142.
128. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 594.
129. According to various dictionaries, the origins of the Anglo-French root *escomos* / *escoymous*, from which the word “squeamish” is derived, remain unknown. The Oxford English Dictionary, 2nd ed. (Oxford: Clarendon Press, 2000), entry “e’squaymous” (vol. 5, Dvandva–Follis), and entry “squeamous” (vol. 16, Soot–Styx).
130. V. A. C. Gatrell, *The Hanging Tree*, op. cit., pp. 596 and 598.
131. For these two individuals, see CARAN, BB²⁴ 2041. *Recours en grâce des condamnés à mort*, December 1874 to January–October 1875.
132. *La Cocarde*, August 9, 1888.
133. Abbé Jean-Baptiste Faure, *Au pied de l’échafaud*, op. cit., p. 102.
134. *Ibid.*, p. 116.
135. Unlike Faure, who believed that Forget shuddered in fear listening to the preparations for Kœnig’s execution, *Le Petit journal* (April 10, 1886) observed that he was not even awake at the time. The order of execution for Frey and Rivière was provided by Abbé Faure in an interview given to *La Croix* (October 5, 1886).
136. *Le Petit journal*, January 11, 1909; and *La Libre parole*, January 11, 1909.
137. Gaston Faralicq, *Trente ans dans les rues de Paris*, 4th ed. (Paris: Librairie Académique Perrin, 1934), pp. 208–209; and *La Croix*, April 22, 1913.
138. See chapter 2 in this volume.
139. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 590.
140. J. A. Sharpe, “Civility, civilizing process,” art. cit., p. 229.

141. Xavier Lapray, “L’exécution publique de la peine capitale à Paris entre 1870 et 1914” (master’s thesis), op. cit., p. 33.
142. Abbé Jean-Baptiste Faure, *Au pied de l’échafaud*, op. cit., p. 229.
143. J. A. Sharpe, “Civility, civilizing process,” art. cit., p. 215.
144. Karen Halttunen, “Humanitarianism and the Pornography of Pain in Anglo-American Culture,” *American Historical Review*, vol. 100, no. 2 (April 1995), p. 308.
145. Adolphe Guillot, *Paris qui souffre: Les prisons de Paris et les prisonniers* (Paris: E. Dentu, 1889), p. 394.
146. Gustave Macé, *Mon musée criminel: La police parisienne* (Paris: G. Charpentier, 1890), p. 93.
147. CARAN, BB¹⁸ 6101 21 BL. *Recours en grâce des condamnés à mort, Prisons, 1875–1904. Exécutions capitales, 1870–1906.*
148. Maxime Du Camp, *Paris: Ses organes, ses fonctions*, op. cit., pp. 398–399.
149. *Lyon républicain*, September 11, 1927.
150. Victor Hugo, “Loi sur les prisons: Projet de discours” (1847), in *Écrits sur la peine de mort* (Arles: Actes Sud, 2002), pp. 63 and 67.
151. Luc Boltanski, *Distant Suffering: Morality, Media and Politics* (Cambridge: Cambridge University Press, 1999 [1993]), p. xv.
152. Norbert Elias, *The Society of Individuals*, in *The Collected Works of Norbert Elias*, vol. 10, ed. Michael Schröter (Dublin: University College Dublin Press, 2010), p. 111.
153. Charles Henry, “Éléments pour une théorie de l’individuation: Quand le domestique Mozart se prenait pour un libre artiste,” in *Norbert Elias: La politique et l’histoire*, ed. Alain Garrigou and Bernard Lacroix (Paris: La découverte, 1997), p. 205.
154. Norbert Elias, *Mozart and Other Essays on Courtly Art*, in *The Collected*

Works of Norbert Elias, vol. 12, ed. Eric Baker and Stephen Mennell (Dublin: University College Dublin Press, 2010), pp. 94–95.

155. Norbert Elias, *The Loneliness of the Dying*, in *The Collected Works of Norbert Elias*, vol. 6, ed. Alan Scott and Brigitte Scott (Dublin: University College Dublin Press, 2010), p. 4.

156. Luc Boltanski, *Distant Suffering*, op. cit., p. 69.

157. Pieter Spierenburg, *The Spectacle of Suffering*, op. cit., p. 185.

158. Luc Boltanski, *Distant Suffering*, op. cit., p. 117.

159. Victor Hugo, *Hans of Iceland* (Boston: Little, Brown, 1894), p. 491.

160. Victor Hugo, *Le dernier jour d'un condamné*, op. cit., p. 55; preface by Roger Borderie, p. 8.

161. *Le Courrier de Bayonne*, April 10, 1874.

162. *L'écho du Rhône*, August 16, 1894.

163. *Le Matin*, June 29, 1905.

164. On October 13, 1874, Boudas was executed ten minutes after Moreau, see CARAN, BB²⁴ 2040 2. *Recours en grâce des condamnés à mort*, August–December 1874; Jeantroux, the younger of the two condemned men, was executed first, but Ribot was not present, see BB²⁴ 2069. *Recours en grâce des condamnés à mort*, January–June 1890.

165. *La Libre parole*, July 2, 1910.

166. Luc Boltanski, *Distant Suffering*, op. cit., p. 96.

167. “La vie de Weidmann en prison,” *Détective*, March 9, 1939.

168. “Weidmann a expié,” *L’Intransigeant*, June 18, 1939.

169. *La Dépêche de l’Aisne*, August 20, 1927.

170. *Le Petit Provençal*, May 17, 1930.

171. Le Petit journal, January 25, 1931.
172. Luc Boltanski, *Distant Suffering*, op. cit., p. 114.
173. This is the interpretation put forth by Barry Faulk, "The Public Execution: Urban Rhetoric and Victorian Crowds," in *Executions and the British Experience from the 17th to the 20th Century: A Collection of Essays*, ed. William B. Thesing (Jefferson: McFarland, 1990); and V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 261.
174. William Makepeace Thackeray, "Going to See a Man Hanged," in *Catherine; A Shabby Genteel Story; The Second Funeral of Napoleon; And Miscellanies, 1840–1* (London: Oxford University Press, n.d.), p. 205.
175. Ibid.
176. Ivan Turgenev, *The Execution of Troppmann*, op. cit., p. 801.
177. Alexandre Bourmeyster, "Dostoïevsky et la peine de mort," in *Actes du colloque sur la peine de mort dans la pensée philosophique et littéraire: Autour de l'exécution de Troppmann*, Institut d'Études Hispaniques, October 1, 1979 (Paris: Association des amis d'Ivan Tourgueniev, 1980), pp. 73–74.
178. Maxime Du Camp, "La place de la Roquette," art. cit.
179. William C. Brumfield, "Invitation to a Beheading: Turgenev and Troppmann," *Canadian-American Slavic Studies*, vol. 17, no. 1 (Spring 1983), p. 82.
180. Alexandre Zviguilsky, "Ivan Tourgueniev et la peine de mort," in *Actes du colloque sur la peine de mort*, op. cit., p. 68.
181. "Une belle nuit," *L'Avenir*, August 31, 1921.
182. Le Petit journal, May 24, 1922.
183. Jean-Marie-Lazare Caubet, *Souvenirs*, op. cit., p. 144.
184. Luc Boltanski, *Distant Suffering*, op. cit., p. 79.

185. Arlette Farge, *La vie fragile*, op. cit., p. 216.

186. Villiers de l'Isle-Adam, "Les phantasmes de M. Redoux" (1886), in *Œuvres complètes*, vol. 2 (Paris: Gallimard, coll. "La Pléiade," 1986), p. 268. Father Moreau recounts that Victorien Sardou asked to be thrown onto the guillotine's teeterboard just before Troppmann's execution, and that the executioner's aides simulated an execution for him. See Abbé Georges Moreau, *Souvenirs de la Petite et de la Grande Roquette*, vol. 2, op. cit., p. 241, note 1.

187. Karen Halttunen, "Humanitarianism and the Pornography of Pain," art. cit., pp. 303 and 308.

6. Hiding a Ritual of Obedience

1. Pierre Clastres, "Liberté, Malencontre, Innommable," in Etienne de La Boétie, *Le discours de la servitude volontaire* (Paris: Payot, 2002 [1552–1553]), p. 252.

2. Jacques Lagroye, "La légitimation," in *Traité de science politique*, vol. 1, ed. Madeleine Grawitz and Jean Leca (Paris: Presses universitaires de France, 1985), p. 407.

3. Robert Muchembled, *Le temps des supplices: De l'obéissance sous les rois absolus, XVe–XVIIIe siècle* (Paris: Armand Colin, 2006 [1992]), p. 16.

4. Ibid., p. 322.

5. This is a question asked by Paul Friedland, "Beyond Deterrence: Cadavers, Effigies, Animals and the Logic of Executions in Premodern France," *Historical Reflections, Réflexions historiques*, vol. 29, no. 2 (Summer 2003), p. 306.

6. Gustave Le Bon, *The Crowd*, intro. by Robert A. Nye (New Brunswick, NJ: Transaction, 1997 [1895]), p. 34.

7. Gabriel Tarde, *L'opinion et la foule* (Paris: Presses universitaires de France, 1989 [1901]), pp. 56 and 66–67.

8. Vanessa R. Schwartz, *Spectacular Realities. Early Mass Culture in Fin de Siècle Paris* (Berkeley: University of California Press, 1998), p. 2, for these two expressions.
9. Avner Ben-Amos, *Funerals, Politics, and Memory in Modern France*, op. cit., p. 68; and “Les funérailles de Victor Hugo: Apothéose de l’événement spectacle,” in *Les lieux de mémoire: La République*, ed. Pierre Nora (Paris: Gallimard, 1984), p. 513.
10. Olivier Ihl, *La fête républicaine*, op. cit., pp. 298 and 32.
11. As reported by Simone Delattre, *Les douze heures noires*, op. cit., p. 232.
12. Sylvain Rappaport, “La ‘dernière chaîne’: une fête à Bicêtre,” in *Imaginaire et sensibilités au XIXe siècle: Études pour Alain Corbin*, ed. Anne-Emmanuelle Demartini and Dominique Kalifa (Paris: Créaphis, 2005), p. 245.
13. Jean-Marc Berlière, *Le crime de Soleilland*, op. cit., p. 13.
14. Louis Lépine, *Mes souvenirs*, op. cit., p. 271.
15. Ibid., p. 272.
16. Bernard Thomas, *La bande à Bonnot* (Paris: Tchou, 1968), pp. 196 and 211.
17. Bruno Bertherat, “La Morgue de Paris au XIXe siècle (1804–1907): Les origines de l’Institut médico-légal ou Les métamorphoses de la machine” (PhD diss. Université Paris 1, 2002), p. 250.
18. Ibid., p. 65.
19. Adolphe Guillot, *Paris qui souffre: La basse-geôle du Grand-Châtelet et les morgues modernes*, 2nd ed. (Paris: Rouquette, 1888 [1887]), pp. 189–190.
20. Adolphe Guillot, *Paris qui souffre: La basse-geôle du Grand-Châtelet*, op. cit., p. 182.
21. Nicolas Mariot, “Les formes élémentaires de l’effervescence collective, ou l’état d’esprit prêté aux foules,” *Revue française de science politique*, vol. 51, no. 5 (October 2001), p. 718.

22. Gregory Shaya, "The Flâneur, the Badaud, and the Making of a Mass Public in France, circa 1860–1910," *American Historical Review*, vol. 109, no. 1, 2004, §38, <https://doi.org/10.1086/ahr/109.1.41>.
23. The first number comes from the *Gazette du Midi*, dated March 22, 1857. The second was provided in a letter from Marseille's central commissioner, addressed to the mayor on January 27, 1868. See Marseille municipal archives, 3 I 83. Justice: Prisons: Exécutions capitales, 1872 [1857–1872].
24. Montpellier city archives, I 5/4. Exécution de Martini, 1892.
25. Even if an estimate of those in attendance could be meaningful in some cases, it remains a fixed syntagm. Regarding the number of protestors, Danielle Tartakowsky notes that up until the 1920s, *L'Humanité* consistently stated that there were "100,000" protestors, simply to signify that the protest had been well-attended. See D. Tartakowsky, *Les manifestations de rue en France*, op. cit., p. 184.
26. *Le Petit journal*, October 15, 1874.
27. APPO BA 887. "Exécutions des arrêts criminels: 1872 à 1899."
28. The abbot Faure, the chaplain of La Roquette, was struck by this. See *Au pied de l'échafaud*, op. cit.
29. *Le Petit journal*, December 21, 1889.
30. Georges Grison, *Souvenirs de la place de la Roquette*, op. cit., p. 120.
31. *Le Petit journal*, April 11, 1874.
32. APPO BA 85. Affaire Goufféet affaire Anastay.
33. APPO BA 887. "Exécutions des arrêts criminels: 1872 à 1899."
34. Ibid.
35. *Le Petit journal*, April 10, 1892.
36. Annulla Linders, "The Execution Spectacle and State Legitimacy," art. cit.,

p. 618.

37. Hugo Adam Bedau, "American Populism and the Death Penalty: Witnesses at an Execution," *Howard Journal of Criminal Justice*, vol. 33, no. 4 (November 1994), p. 293.

38. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 601.

39. Avner Ben-Amos, "Les funérailles de Victor Hugo," art. cit., p. 504.

40. Olivier Ihl, *La fête républicaine*, op. cit., p. 298.

41. *Le Petit méridional*, July 24, 1892; *La Croix*, August 7, 1905; and *Le Petit journal*, January 20, 1894.

42. Alain Corbin, "Le Paris de Maxime Du Camp," *Sociétés & Représentations*, no. 17 (March 2004), p. 71

43. George L. Mosse, *Fallen Soldiers: Reshaping the Memory of the World Wars*, op. cit., p. 55.

44. Christophe Studeny, *L'invention de la vitesse: France, XVIIIe–XXe siècle* (Paris: Gallimard, 1995), p. 216; and Catherine Blons-Pierre, "La vitesse au Moyen Age," in *Lavitesse, Actes des 8es Entretiens de la Villette* (Paris: Centre National de Documentation Pédagogique, 1997), p. 102.

45. Maxime Du Camp, "La place de la Roquette," art. cit.

46. CARAN, BB²⁴ 2054. Recours en grâce des condamnés à mort, November 1882 and March–October 1883.

47. Cited by Albert Bataille, *Causes criminelles et mondaines de 1883* (Paris: E. Dentu, 1884), pp. 249–250.

48. "Une ignominie," *L'Intransigeant*, December 30, 1888.

49. Ibid.

50. *Le Petit journal*, January 26, 1887.

51. *Le Petit journal*, March 29, 1912.

52. Le Petit journal, December 25, 1887.
53. This number is contained in the prosecutor's report concerning Paul Faine's execution on June 2, 1888, see CARAN, BB²⁴ 2065. Recours en grâce des condamnés à mort, December 1887 and January–July 1888.
54. Le Matin, August 18, 1889.
55. Georges Grison, Souvenirs de la place de la Roquette, op. cit., p. 323.
56. Le Petit journal, May 23, 1922. Regarding the double execution of Louis Cadet and Emile Lœuillette in Paris.
57. Paul Friedland, "Beyond Deterrence," art. cit., p. 315.
58. V. A. C. Gatrell, The Hanging Tree, op. cit., p. 226. As a reader of Gatrell, Randall McGowen believes that if the English elites did not see the pain of the convicted criminals, the popular classes, on the other hand, possessed a "more democratic" form of empathy. See R. McGowen, "Revisiting The Hanging Tree: Gatrell on Emotion and History," British Journal of Criminology, vol. 40, no. 1 (Winter 2000), p. 7.
59. CARAN, BB²⁴ 2051. Recours en grâce des condamnés à mort, December 1887, November–December 1881, and January–July 1882.
60. Abbé Jean-Baptiste Faure, Au pied de l'échafaud, op. cit., p. 86.
61. Le Petit journal, September 28, 1932.
62. Abbé Jean-Baptiste Faure, Au pied de l'échafaud, op. cit., p. 104.
63. Le Petit journal, January 26, 1887.
64. Albert Bataille, Causes criminelles et mondaines de 1886 (Paris: E. Dentu, 1887), p. 358.
65. Le Petit journal, January 26, 1887.
66. Le Petit journal, September 13, 1877.
67. CARAN, BB²⁴ 2081. Recours en grâce des condamnés à mort, May–October

and December 1898.

68. *Le Petit journal*, December 17, 1892.

69. Joseph Reinach, "Proposition de loi et discours sur l'abolition de la peine de mort," in *Mes comptes rendus: Discours, propositions, rapports*, vol. 3 (1908–1912) (Paris: Prieur et Cie, 1917), p. 25.

70. Isabelle Sommier, "Du 'terrorisme' comme violence totale?" *Revue internationale des sciences sociales*, no. 174 (December 2002), p. 528.

71. *Le Voleur*, March 15, 1872, reprinted in *Supplices et mises à mort variés: Extraits de récits de voyages du XIXe siècle*, presented by V.-P. Angouillant (Paris: Jean-Claude Gawsewitch Éditeur, 2005), p. 30.

72. CARAN, BB²⁴ 2058. Recours en grâce des condamnés à mort, July–December 1884.

73. Carnet "Exécutions 1885 à 1910," n.p.

74. Carnet "Exécutions 1932 à 1938," n.p.

75. Carnet "Exécutions 1928 à 1932," n.p.

76. Carnet "Exécutions 1932 à 1938," n.p.

77. Ibid.

78. CARAN, BB²⁴ 2047. Recours en grâce des condamnés à mort, August–September 1878 and February–December 1879.

79. Cited in *La Constitution*, May 26 and 27, 1879.

80. Ibid.

81. CARAN, BB²⁴ 2047. Recours en grâce des condamnés à mort, August–September 1878 and February–December 1879.

82. CARAN, BB²⁴ 2040 1. Recours en grâce des condamnés à mort, December 1873 to January–August 1874.

83. Le Petit journal, December 9, 1911.
84. Le Petit journal, June 22, 1935.
85. Le Petit journal, January 25, 1939.
86. Le Petit journal, September 9, 1878; M. H***, *Souvenirs d'un bourreau de Paris* (Sceaux: imp. de Charaire et fils, s.d. [later source]), p. 431.
87. Le Cri du peuple, June 13, 1886; and Le Petit journal, June 13, 1886.
88. Le Petit journal, October 4, 1886.
89. Le Petit journal, August 6, 1905.
90. La Croix, August 7, 1905; and La Libre parole, August 6, 1905.
91. R. Le Normant, "Suppression de la publicité des exécutions capitales," *Revue politique et parlementaire*, vol. 46, no. 138 (October 12, 1905), p. 503.
92. Journal officiel: Débats parlementaires: Chambre des députés, session on November 9, 1905. Messimy notes in particular that when the execution was over, the crowd "rushed toward the basket to touch the corpses, and, people said, to dip their handkerchiefs into the blood" (pp. 3156–3157).
93. Andreas Wehowsky, "Making Ourselves More Flexible Than We Are: Reflections on Norbert Elias," *New German Critique*, no. 15 (Fall 1978), p. 68.
94. Helmut Kuzmics, "Embarrassment and Civilization: On Some Similarities and Differences in the Work of Goffman and Elias," *Theory, Culture & Society*, vol. 8, no. 2 (May 1991), p. 10.
95. Georges Clemenceau, "La guillotine," art. cit., p. 415.
96. Gaston Mery thus spoke of his "impressionable nature." See G. Mery, "Le Retour de la Veuve," *La Libre parole*, January 8, 1909.
97. Le Petit journal, July 3, 1874.
98. Le Petit journal, April 10, 1892.

99. Dr. Paul Loye, *La mort par la décapitation* (Paris: Bureaux du progrès médical—Lecrosnier et Babé, 1888), pp. 158–159.
100. *Le Matin*, January 27, 1909.
101. *La Loire républicaine*, August 15, 1920.
102. *L’Avenir*, August 31, 1921.
103. *L’Excelsior*, February 26, 1922.
104. According to Maurice Chardon, *Les nuits de l’échafaud* (Paris: Librairie générale, 1878), p. 12.
105. *Le Petit journal*, June 26, 1936.
106. *Le Petit journal*, September 15, 1932.
107. *L’Avenir*, August 31, 1921.
108. “Quatre têtes sont tombées,” *Le Matin*, January 12, 1909.
109. *L’Excelsior*, February 26, 1922.
110. Siegfried Kracauer, *From Caligari to Hitler: A Psychological History of the German Film* (Princeton, NJ: Princeton University Press, 2004 [1947]), pp. 61ff.
111. “Tout près de la guillotine,” *Les Tablettes de l’Aisne*, February 25, 1923.
112. *Lyon républicain*, January 25, 1939.
113. A film of Weidmann’s execution (1939) can be found at: <https://www.youtube.com/watch?v=Ybp-EZe7PoQ>. It is not impossible, of course, that other films may have circulated well before this date. There are too many cinematographic and fictional works about the death penalty, and especially containing an execution scene, to be cited here. In France, some of these include *La vie, l’amour, la mort* (1969) by Claude Lelouch, *Deux hommes dans la ville* (1973) by José Giovanni, *La machine* (1977) by Paul Vecchiali, *Le pull-over rouge* (1979) by Michel Drach, and the more recent *La veuve de Saint-Pierre* (2000) by Patrice Leconte. In the United States: Tim Robbins’s *Dead Man*

Walking (1995), Frank Darabont's *The Green Mile* (1999), Clint Eastwood's *True Crime* (1999), and Alan Parker's *The Life of David Gale* (2002). See also *De l'art de bien couper: Le site de la guillotine*, <http://laveuveguillotine.pagesperso-orange.fr/Guillotinesite.html> and *The Guillotine Headquarters*: <http://www.guillotine.dk>.

114. Vanessa R. Schwartz, *Spectacular Realities*, op. cit., p. 150.

115. Noël Burch, *La lucarne de l'infini: Naissance du langage cinématographique* (Paris: Nathan, 1991), p. 37.

116. V. A. C. Gatrell, *The Hanging Tree*, op. cit., p. 240.

117. Régis Bertrand and Anne Carol, "Avant-propos," in *L'exécution capital*, ed. R. Bertrand and A. Carol, op. cit., p. 20.

118. On the "birth" of this delegitimization, see chapter 1 in this volume.

119. J. Cyprien Roumieu, *Plus d'échafauds!*, op. cit., p. 48.

120. CARAN, BB²⁴ 2038. *Recours en grâce des condamnés à mort*, November–December 1871 to January–December 1872, letter from July 31, 1872.

121. The central commissioner who wrote this report waited all this time before breaking down the barricades that held the crowd at bay. Bouches-du-Rhône departmental archives, 1 M 726 (1331). *Préfecture: Administration générale du département: Documents généraux*.

122. Hugues Leroux, "Une exécution capitale à Paris" (*L'enfer parisien*, 1888), in *Archives de Paris*, ed. Jacques Borgé and Nicolas Viasnoff (Paris: Ballard, 1981), p. 225.

123. *Le Cri du peuple*, August 11, 1885. Concerning the previous night's double execution of Gaspard and Marchandon.

124. *Le Petit journal*, February 28, 1872.

125. *Le Gaulois*, September 27, 1877.

126. Marseille municipal archives, Justice. Prisons: *Exécutions capitales: 1872*

[1857–1872], Letter from the prosecutor of the Republic to the mayor, July 12, 1872.

127. Louis-Sébastien Mercier, “La place de Grève (Prairial an VII),” in *Le nouveau Paris*, op. cit., p. 1353.

128. Eugène-François Vidocq, *Considérations sommaires sur les prisons, les bagnes et la peine de mort* (Paris: Mille et une nuits, 1999 [1836]), p. 44.

129. Ibid.

130. Joseph Reinach, “Rapports, proposition de loi et discours,” art. cit., p. 12.

131. Ibid., p. 8.

132. See, for example, the criticism of the “socialites” that *Le Petit journal* made, regarding the execution of Alexandre Bétille in Rouen (July 7, 1899).

133. *Voltaire*, August 29, 1887; and *Le Cri du peuple*, August 29, 1887.

134. *Le Temps*, August 25, 1887; and *Le Cri du peuple*, September 1, 1887.

135. *La Croix*, September 1, 1887.

136. Jean-Marie-Lazare Caubet, *Souvenirs*, op. cit., p. 204; *L’observateur français*, August 26, 1887; and *Écho de Paris*, August 27, 1887.

137. A.-G. Crémieux, “Amateurs de guillotine,” *Action*, August 26, 1887; Joseph Denais, “Le scandale de la mort,” *L’observateur français*, August 26, 1887; *La Lanterne*, August 25, 1887; and *Voltaire*, August 29, 1887.

138. Note provided by a local resident, an informant, or a police officer, dated July 22, 1891. APPO BA 887. “Exécutions des arrêts criminels, 1872 à 1899.”

139. Another report. Ibid.

140. Bertrand Tillier, “De la balade à la manif: La représentation picturale de la foule dans les rues de Paris après 1871,” *Sociétés & Représentations*, no. 17 (March 2004), p. 87. The author dates this back a little too far, to the end of the Second Empire.

141. Vanessa R. Schwartz, *Spectacular Realities*, op. cit., p. 25; Susanna Barrows, *Distorting Mirrors: Visions of the Crowd in Late Nineteenth-Century France* (New Haven, CT: Yale University Press, 1981), passim. Nevertheless, the author never mentions the specific case of guillotine crowds.

Conclusion

1. Norbert Elias, *Mozart and Other Essays on Courtly Art*, op. cit., p. 95.
2. Norbert Elias, "Ageing and Dying: Some Sociological Problems," in *The Loneliness of the Dying*, op. cit.
3. Emmanuel Taïeb, "Should Images of Violence Be Shown?" *Books and Ideas*, November 26, 2015, <http://www.booksandideas.net/Should-Images-of-Violence-be-Shown.html>.

Appendix

1. First execution without the scaffold in this town.
2. In italics, executions subject to some doubt or for which we lack sufficient information.
3. Last execution of a woman until the Vichy regime.
4. First execution on the Boulevard Arago.
5. On March 26, Emile Ferfaille was executed in Veurne, in Belgium, by the French executioner, on the special request of Belgian authorities. This particular wartime event was novelized by François Sureau in *L'obéissance* (Paris: Gallimard, 2007).
6. On June 15, the German citizen August Weibel was executed in Saarbrücken

by the French executioner, upon the special request of the Saar Basin Government Commission.

7. Inside the prison.

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Names in italics indicate executed convicts

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